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Report of the Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council and Other Matters related to the Security Council

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Supplement No. 47 (A/55/47)

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I. Introduction

1. In its resolution 48/26 of 3 December 1993, the General Assembly decided to establish an Open-ended Working Group to consider all aspects of the question of increase of the membership of the Security Council and other matters related to the Security Council (for the full text of the resolution, see annex I).

2. The Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council and Other Matters related to the Security Council began its deliberations in January 1994. The mandate of the Working Group was extended by the General Assembly at its forty-eighth through fifty-fourth sessions.[1] Reports on the progress of its work were submitted by the Working Group to the General Assembly at its forty-eighth through fifty-fourth sessions.[2]

3. On 23 November 1998, the General Assembly adopted resolution 53/30 with regard to one of the agenda items of the Working Group, namely, "Majority required for taking decisions on Security Council reform" (for the full text of the resolution, see annex II).

4. On 5 September 2000, in its decision 54/488, the General Assembly decided that the Open-ended Working Group should continue its work and submit a report to the Assembly before the end of the fifty-fifth session, including any agreed recommendations. The present report has been prepared and submitted pursuant to that decision.

5. On 8 September 2000, heads of State and Government adopted the United Nations Millennium Declaration, by which they resolved, inter alia, "to intensify our efforts to achieve a comprehensive reform of the Security Council in all its aspects" (see General Assembly resolution 55/2, para. 30).

6. On 16 and 17 November 2000, the General Assembly considered the question of equitable representation on and increase in the membership of the Security Council and other matters related to the Security Council (see A/55/PV/64-67).

II. Proceedings of the Working Group during the fifty-fifth session of the General Assembly

7. The President of the General Assembly, Harri Holkeri (Finland), served as Chairman of the Working Group. Ambassadors Thorsteinn Ingolfsson (Iceland) and John de Saram (Sri Lanka) served as Vice-Chairmen of the Working Group.

8. Meetings of the Working Group were chaired, when the Chairman of the Working Group was not present, by each of the Vice-Chairmen alternately.

9. During the fifty-fifth session of the General Assembly, the Open-ended Working Group held five sessions, as follows: first session, 5 February 2001; second session, 12 to 16 March 2001; third session, 7 to 11 May 2001; fourth session, 11, 13 and 14 June 2001; and fifth session, 16 to 20 July 2001. A total of 20 meetings were held during the five sessions, during which delegations made written as well as oral proposals related to the issues discussed. Reference was made to proposals and/or position papers submitted during previous sessions and annexed to previous reports of the Working Group. All proposals remain on the table. The Working

Group affirmed that the work of the General Assembly on Security Council reform should be conducted in conformity with the relevant Assembly resolutions, fully respecting the need for transparency and open-endedness.

A. First session of the Working Group

10. At its first session, on 5 February 2001, the Working Group adopted its programme of work (see annex III).

11. The Working Group agreed that it should, in the light of its discussions in preceding years, in particular its discussions in 2000, continue: (a) its consideration of cluster I issues, namely, issues arising under the second item (Decision-making in the Security Council, including the veto), the third item (Expansion of the Security Council) and the fourth item (Periodic review of the enlarged Security Council) of its programme of work; and (b) its consideration of cluster II issues, namely, issues arising under the first item (Working methods of the Security Council and transparency of its work) of its programme of work.

12. The Working Group agreed that cluster I and cluster II issues should continue to be considered by the Working Group in tandem, meaning that the Working Group should, in terms of time and emphasis, consider cluster I and cluster II issues in a similar and balanced manner.

B. Second session of the Working Group

13. At its second session, from 12 to 16 March 2001, the Working Group began its consideration at the current session of the General Assembly of cluster I and cluster II issues.

14. The Working Group's consideration of cluster I issues proceeded on the basis of annex XI to the report of the Working Group to the General Assembly at its fifty-fourth session[3] and conference room papers submitted by the Bureau of the Working Group (A/AC.247/2001/CRP.2 and Add.1; see annexes IV and V).

15. The Working Group's consideration of cluster II issues proceeded on the basis of annex XII to the report of the Working Group to the General Assembly at its fifty-fourth session[3] and a conference room paper submitted by the Bureau of the Working Group (A/AC.247/2001/CRP.3; see annex XV).

16. At this session, the delegation of Egypt made a statement on behalf of the Working Group of the Movement of Non-Aligned Countries. Subsequently, the text of this statement was received by the Bureau of the Working Group and issued as a conference room paper (see A/AC.247/2001/CRP.7; see annex XIX).

C. Third session of the Working Group

17. At its third session, from 7 to 11 May 2001, the Working Group continued its consideration of cluster I and cluster II issues.

18. The Working Group's consideration of cluster I issues proceeded on the basis of the documents referred to in paragraph 14 above and additional conference

room papers submitted by the Bureau of the Working Group (A/AC.247/2001/CRP.2/Add.2, Add.3, Add.3/Corr.1 and Add.4, A/AC.247/2001/CRP.4,[4] and A/AC.247/2001/CRP.5 and Rev.1; see annexes VI-IX and XI-XII).

19. The Working Group's consideration of cluster II issues proceeded on the basis of document A/AC.247/2001/CRP.3 (see annex XV).

D. Fourth session of the Working Group

20. At its fourth session, on 11, 13 and 14 June 2001, the Working Group continued its consideration of cluster I and cluster II issues.

21. The Working Group's consideration of cluster I issues continued on the basis of the documents referred to in paragraph 18 above and an additional conference room paper submitted by the Bureau of the Working Group (A/AC.247/2001/CRP.2/Add.5; see annex X).

22. The Working Group also had before it a further conference room paper submitted by the Bureau of the Working Group (A/AC.247/2001/CRP.5/Rev.2; see annex XIII).

23. The Working Group's consideration of cluster II issues continued on the basis of document A/AC.247/2001/CRP.3 (see annex XV).

24. On 13 June 2001, in response to an invitation from the Working Group, the then President of the Security Council, Ambassador Anwarul Chowdhury (Bangladesh), and two members of the Security Council, Ambassadors Jeremy Greenstock (United Kingdom of Great Britain and Northern Ireland) and Alfonso Valdivieso (Colombia), attended the meeting of the Working Group and spoke of steps taken by the Security Council with a view to ensuring greater openness and transparency in procedures.

25. Many members of the Working Group expressed the view that similar meetings of the Working Group involving members of the Security Council in interactive interchange of questions and views with members of the Group would be most welcome and useful and should be repeated in the future.

E. Fifth session of the Working Group

26. At its fifth session, from 16 to 20 July 2001, the Working Group continued its consideration of cluster I and cluster II issues.

27. With reference to cluster I issues, the Working Group received an additional conference room paper submitted by the Bureau of the Working Group (A/AC.247/2001/CRP.5/Rev.2/Add.1) (see annex XIV).

28. The Working Group also received a proposal submitted by the delegation of Pakistan (A/AC.247/2001/CRP.6) (see annex XVIII).

29. The Working Group also received a proposal submitted by the delegation of Grenada (A/AC.247/2001/CRP.9 (see annex XXI)).

30. With reference to cluster II issues, the Working Group received an additional conference room paper submitted by the Bureau of the Working Group (A/AC.247/2001/CRP.3/Add.1; see annex XVI). On the basis of that document and as a result of discussions, the Bureau prepared a further revised conference room paper (A/AC.247/2001/CRP.3/Rev.1; see annex XVII), which was issued towards the end of the July 2001 session.

31. On 16 July 2001, a note by the Secretariat concerning record-keeping practices in the Security Council secretariat was circulated among delegations (A/AC.247/2001/CRP.8; see annex XX).

32. On 17 July 2001, the Director of Security Council Affairs Division, Department of Political Affairs of the United Nations Secretariat, attended the Working Group at its request to answer questions raised in the Working Group on a number of issues, including record-keeping practices in the Security Council secretariat and services provided to informal consultations of the whole, meetings of subsidiary organs and working groups, and fact-finding missions of the Security Council.

33. The working group considered and, on 20 July 2001, adopted its report to the General Assembly.

III. Recommendations

34. At its twentieth meeting, on 20 July 2001, the Open-ended Working Group concluded its work for the current session of the General Assembly. It decided to recommend that consideration of this item be continued at the fifty-sixth session of the Assembly, building upon the work done during previous sessions and with a view to facilitating the process of reaching general agreement. To that end, the Working Group recommends to the General Assembly the adoption of the following draft decision:

> "The General Assembly, recalling its previous resolutions and decisions relevant to, and having considered the report of the Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council and Other Matters related to the Security Council, established pursuant to its resolution 48/26 of 3 December 1993, and mindful of the United Nations Millennium Declaration of 8 September 2000 adopted by heads of State and Government,[5] in which they resolved, inter alia, to intensify their efforts to achieve a comprehensive reform of the Security Council in all its aspects:
>
> (a) Takes note of the report of the Working Group on its work during the fifty-fifth session of the General Assembly;
>
> (b) Welcomes the progress so far achieved in the consideration of the issues dealing with the working methods of the Security Council as provisional agreement has been recorded on a large number of issues, but, noting that substantial differences of view remain on other issues, urges the Open-ended Working Group to continue exerting efforts during the fifty-sixth session to achieve progress in the consideration of all aspects of the Question of Equitable Representation on and Increase in the Membership of the Security Council and Other Matters related to the Security Council;

(e) Decides that the Question of Equitable Representation on and Increase in the Membership of the Security Council and Other Matters related to the Security Council should be considered during the fifty-sixth session of the General Assembly, and further decides that the Working Group should continue its work, taking into account the progress achieved during the forty-eighth through fifty-fifth sessions, as well as the views to be expressed during the fifty-sixth session of the Assembly, and submit a report to the Assembly before the end of the fifty-sixth session, including any agreed recommendations."

Notes

[1] See General Assembly decisions 48/498, 49/499, 50/489, 51/476, 52/490, 53/487 and 54/488.

[2] See *Official Records of the General Assembly, Forty-eighth Session, Supplement No. 47* (A/48/47); ibid., *Forty-ninth Session, Supplement No. 47* (A/49/47); ibid., *Fiftieth Session, Supplement No. 47* (A/50/47/Rev.1); ibid., *Fifty-first Session, Supplement No. 47* (A/51/47 and Corr.1); ibid., *Fifty-second Session, Supplement No. 47* (A/52/47); ibid., *Fifty-third Session, Supplement No. 47* (A/53/47); and ibid., *Fifty-fourth Session, Supplement No. 47* (A/54/47).

[3] Ibid., *Fifty-fourth Session, Supplement No. 47* (A/54/47).

[4] Document A/AC.247/2001/CRP.4 is not annexed to the present report since it was intended only to explain how certain other conference room papers relating to cluster I issues had been prepared.

[5] Resolution 55/2.

Annex I

General Assembly resolution 48/26 of 3 December 1993

Question of equitable representation on and increase in the membership of the Security Council

The General Assembly,

Recalling its resolution 47/62 of 11 December 1992,

Noting with appreciation the report of the Secretary-General which reflected the views of a number of Member States on the agenda item entitled "Question of equitable representation on and increase in the membership of the Security Council",

Recalling also the relevant provisions of the Charter of the United Nations, especially Article 23,

Recalling further that the Members confer on the Security Council primary responsibility for the maintenance of international peace and security and agree that in carrying out its duties under this responsibility the Security Council acts on their behalf,

Recognizing the need to review the membership of the Security Council and related matters in view of the substantial increase in the membership of the United Nations, especially of developing countries, as well as the changes in international relations,

Bearing in mind the need to continue to enhance the efficiency of the Security Council,

Reaffirming the principle of the sovereign equality of all Members of the United Nations,

Acting in accordance with the purposes and principles of the Charter,

Mindful of the importance of reaching general agreement,

1. *Decides* to establish an Open-ended Working Group to consider all aspects of the question of increase in the membership of the Security Council, and other matters related to the Security Council;

2. *Requests* the Open-ended Working Group to submit a report on the progress of its work to the General Assembly before the end of its forty-eighth session;

3. *Decides* to include in the provisional agenda of its forty-eighth session an item entitled "Question of equitable representation on and increase in the membership of the Security Council and related matters".

Annex II

General Assembly resolution 53/30 of 23 November 1998

Question of equitable representation on and increase in the membership of the Security Council and related matters

The General Assembly,

Mindful of Chapter XVIII of the Charter of the United Nations and of the importance of reaching general agreement as referred to in resolution 48/26 of 3 December 1993, *determines* not to adopt any resolution or decision on the question of equitable representation on and increase in the membership of the Security Council and related matters, without the affirmative vote of at least two thirds of the Members of the General Assembly.

Annex III

Programme of work of the Working Group during the fifty-fifth session of the General Assembly*

1. Working methods of the Security Council and transparency of its work.
2. Decision-making in the Security Council, including the veto.
3. Expansion of the Security Council:
    (a) Total size of the enlarged Security Council;
    (b) Increase in the permanent membership (including issues of extension of the veto to the new permanent membership and permanent regional representation);
    (c) Increase in the non-permanent membership (including the possibility of an increase, for the time being, only in this category of membership).
4. Periodic review of the enlarged Security Council.
5. Other matters.
6. Report of the Open-ended Working Group to the General Assembly.

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* Previously issued as document A/AC.247/2001/CRP.1

Annex IV

Decision-making in the Security Council: the veto as a voting instrument in the Security Council

Conference room paper submitted by the Bureau of the Working Group*

Introduction

In the programme of work adopted by the Open-ended Working Group on 5 February 2001, "Decision-making in the Security Council, including the veto" is the first item to be discussed under cluster I issues. The issue of the veto as a voting instrument is one of the questions the Working Group needs to address in order to facilitate the process of reaching general agreement.

To facilitate discussion in the Working Group, the Bureau intends to submit conference room papers on issues to be discussed under clusters I and II. The present document is the first of these papers. In order to build on the work done during previous sessions, it is based on annex XI, section A (a), of document A/54/47. This paper does not, for the time being, deal with proposals requiring Charter amendment as presented in section (b) of the above-mentioned annex XI. This does not in any way preclude their being discussed at a later stage.

The Bureau suggests that the discussion focus on the principal elements in the suggestions, as laid out in section III of the paper.

I. Suggestions, with reference to the veto, in annex XI to the report of the Open-ended Working Group of 25 July 2000 (A/54/47), that would not require amendment of the Charter

(1) The veto as a voting instrument should be maintained as today. [Oral proposal at the May 2000 session of the Open-ended Working Group]

(2) The veto as a voting instrument should be maintained without amendment to the Charter of the United Nations. [Written proposal submitted to the Bureau during the May 2000 session of the Working Group]

(3) Any attempt to restrict or curtail the veto rights of the permanent members would not be conducive to the reform process. [Oral proposal at the May 2000 session of the Working Group, referring to document S/1999/996]

(4) The proposals regarding limitations of the rights of the veto, found in the 1948 documents submitted to the Interim Committee by representatives of China (A/AC.18/13), the United Kingdom of Great Britain and Northern Ireland (A/AC.18/17) and the United States of America (A/AC.18/41), should be considered. [Oral proposal at the May 2000 session of the Working Group]

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* Previously issued as document A/AC.247/2001/CRP.2.

(5) New permanent members should commit themselves not to use the veto de facto, even if they have it de jure. [Oral proposal at the May 2000 session of the Working Group]

(6) The introduction of an obligation for a State to explain to the General Assembly why it is vetoing a resolution would make it more difficult to do so and thus bring about substantial progress towards using the right of veto more responsibly. [A/AC.247/2000/CRP.4]

(7) The Security Council or the General Assembly should update the annex to Assembly resolution 267 (III), containing a list of decisions deemed procedural. [A/52/47, annex III, sect. VI.A, para. 26 (b) (i)]

(8) The Security Council or the General Assembly should provide a legal definition of what constitutes a procedural matter or clear criteria as to what is of a procedural nature (Article 27, para. 2, of the Charter). [A/52/47, annex III, sect. VI.A, para. 26 (b) (ii)]

(9) The Security Council should further explore the proposal for a provision enabling a permanent member to cast a negative vote without that vote constituting a veto if the member so declares. [A/52/47, annex III, sect. VI.A, para. 26 (c) (i)]

(10) The Security Council should explore further the possibility for unilateral declarations by the permanent members containing a commitment not to resort to the veto. [A/52/47, annex III, sect. VI.A, para. 26 (c) (ii)]

(11) The permanent members of the Security Council, collectively or individually, should commit themselves, in a legally binding manner, not to resort to the veto or to the threat of its use beyond actions taken under Chapter VII of the Charter. [A52/47, annex X, sect. I.A, para. 1]

(12) The permanent members of the Security Council should exercise the veto in a manner consistent with their responsibilities under the Charter. The permanent members should always provide a written justification whenever they exercise the veto. [A/52/47, annex X, sect. I.A, para. 2]

(13) A legal definition of what constitutes a procedural matter in the decision-making of the Security Council should be formulated. A list of decisions of the Security Council deemed procedural should be developed, inter alia, through the revision of the annex to General Assembly resolution 267 (III). [A/52/47, annex X, sect. I.A, para. 4]

(14) The General Assembly should adopt a declaration expressing its attitude towards the veto as a voting instrument in the Security Council, encouraging Security Council members to make every effort to seek consensus in the Council's decision-making process. The declaration should also contain recommendations to the Council aimed at curtailing, limiting or discouraging the use of the veto. [A/52/47, annex X, sect. I.A, para. 5]

(15) The permanent members of the Security Council, collectively or individually, should commit themselves, in a legally binding manner, not to resort to the veto or to the threat of its use beyond actions taken under Chapter VII of the Charter. Such commitments should be incorporated into the rules of procedure of the Security Council. [A/52/47, annex XI, sect. I.A, para. 1]

(16) The permanent members of the Security Council should exercise the veto in a manner consistent with their responsibilities under the Charter and in accordance with the norms of international law. The veto should be exercised only when permanent members consider the question of vital importance, taking into account the interests of the United Nations as a whole. To state upon what factual and legal ground the permanent members consider this condition to be present, they should always provide a written justification, which could be considered legally binding. [A/52/47, annex XI, sect. I.A, para. 2]

(17) The Security Council should introduce a practice whereby a permanent member would be able to cast a negative vote without such a vote constituting a veto when the member so declares. This would be similar to the current practice concerning the abstention, non-participation or absence of a permanent member in the Council's decision-making process. [A/52/47, annex XI, sect. I.A, para. 3]

(18) A legal definition of what constitutes a procedural matter in decision-making of the Security Council should be formulated. In lack thereof, clear criteria as to which matters are of a procedural nature should be developed. Decisions referred to as being of a procedural nature could be based on the following criteria:

(a) All decisions adopted in application of provisions that appear in the Charter under the heading "procedure";

(b) All decisions concerning the relationship between the Security Council and other organs of the United Nations, or by which the Security Council seeks the assistance of other organs of the United Nations;

(c) All decisions related to the Security Council's internal functioning and the conduct of its business;

(d) All decisions that bear a close analogy to decisions included under the above-mentioned criteria;

(e) Certain decisions instrumental in arriving at or in following up a procedural decision. [A/52/47, annex XI, sect. I.A, para. 4].

(19) The permanent members shall generally be guided by the annex to General Assembly resolution 267 (III) of 14 April 1949 regarding which matters should be deemed procedural. [A/52/47, annex XI, sect. I.A, para. 5]

(20) The following decisions have been suggested to be deemed procedural, in addition to those contained in the annex to resolution 267 (III).

(a) All decisions taken by the Security Council under Chapter VI of the Charter, including:

(i) Decisions to call upon the parties to a conflict to resort to peaceful means of conflict resolution;

(ii) Decisions on mediation efforts and measures of preventive diplomacy;

(iii) Decisions calling for gathering of information or for the dispatch of observers to ascertain facts;

(b) Decisions to call upon the parties to a conflict to abide by the rules of international humanitarian law;

(c) Decisions on procedural matters related to consultations with troop-contributing countries;

(d) Decisions on the timing and modalities of submitting the report of the Security Council to the General Assembly;

(e) Recommendations of the Security Council made in accordance with Articles 4, 5, 6 and 97 of the Charter;

(f) Decisions taken under Article 40 of the Charter relating to provisional measures;

(g) Decisions adopted on the basis of implementing Article 50 of the Charter. [A/52/47, annex XI, sect. I.A, para. 6]

(21) General Assembly resolution 267 (III), with its updated annex and any agreed additional decisions deemed procedural, should be recommended to the Security Council for adoption and incorporation into its rules of procedure. [A/52/47, annex XI, sect. I.A, para. 7]

(22) The members of the Security Council shall make every effort to seek consensus in the Council's decision-making process. [A/52/47, annex XIV]

(23) The permanent members of the Security Council shall make statements, either individually or collectively, that the veto will be exercised in a manner consistent with their responsibilities under the Charter. [A/52/47, annex XIV, para. 2]

(24) In the event of any veto of a draft resolution of the Security Council, the permanent members should accompany that decision with an explanation of such action. [A/52/47, annex XIV, para. 4]

(25) A high-level working group should consider the question of the veto and submit any agreed recommendations to the General Assembly as soon as it is able, if possible prior to the adoption of Charter amendments. [A/52/47, annex XIV, para. 5]

(26) The permanent members of the Security Council should endeavour not to resort to the veto or to the threat of its use. They should exercise the veto in a manner consistent with their responsibilities under the Charter. The General Assembly should adopt a declaration encouraging Security Council members to make every effort to seek consensus in the Council's decision-making process. [A/52/47, annex XV]

(27) The General Assembly, in accordance with Article 10 of the Charter, would make specific recommendations aimed at reducing areas where the veto can be applied. [A/52/47, annex XVI, para. 3 (a)]

(28) The existing permanent members would state, individually or collectively, in writing, that they would commit themselves to exclude the use of the veto as recommended by the General Assembly. [A/52/47, annex XVI, para. 3 (b)]

(29) The permanent members of the Security Council, mindful of the fact that they are acting on behalf of the United Nations as a whole, should exercise the veto

only when they consider the question to be of vital importance, taking into account the interest of the United Nations as a whole, and should state in each case, in writing, on what ground they consider that condition to be present. [A/52/47, annex XVI, para. 4 (a)]

(30) The veto should be excluded in respect of matters contained in the annex to General Assembly resolution 267 (III), entitled "Decisions deemed procedural", updated as necessary. [A/52/47, annex XVI, para. 4 (b)]

(31) To discourage the use of the veto, the General Assembly should decide to urge the original permanent members of the Security Council to limit the exercise of their veto power to actions taken under Chapter VII of the Charter. [A/52/47, annex II, para. 4 (a)]

II. Grouping of suggestions according to their similarities

A. Suggestions intended to leave the veto in its present form

Such suggestions are contained in the following paragraphs of Annex XI (A (a)):

(1) The veto as a voting instrument should be maintained as today. [Oral proposal at the May 2000 session of the Open-ended Working Group]

(2) The veto as a voting instrument should be maintained without amendment to the Charter of the United Nations. [Written proposal submitted to the Bureau during the May 2000 session of the Working Group]

(3) Any attempt to restrict or curtail the veto rights of the permanent members would not be conducive to the reform process. [Oral proposal at the May 2000 session of the Working Group, referring to document S/1999/996]

B. Suggestions intended to preclude or limit exercise of the veto

Suggestions relating to the scope of the veto

(A) What constitutes "procedural" matters, in terms of Article 27, paragraph (2), of the Charter, should be established by an updating of the annex to General Assembly resolution 267 (III) *and* should be applied by the Security Council.

Such suggestions are contained in the following paragraphs of annex XI (A (a)):

(7) The Security Council or the General Assembly should update the annex to Assembly resolution 267 (III), containing a list of decisions deemed procedural. [A/52/47, annex III, sect. VI.A, para. 26 (b) (i)]

(8) The Security Council or the General Assembly should provide a legal definition of what constitutes a procedural matter or clear criteria as to what is of a procedural nature (Article 27, para. 2, of the Charter). [A/52/47, annex III, sect. VI.A, para. 26 (b) (ii)]

(13) A legal definition of what constitutes a procedural matter in the decision-making of the Security Council should be formulated. A list of decisions of the

Security Council deemed procedural should be developed, inter alia, through the revision of the annex to General Assembly resolution 267 (III). [A/52/47, annex X, sect. I.A, para. 4]

(18) A legal definition of what constitutes a procedural matter in decision-making of the Security Council should be formulated. In lack thereof, clear criteria as to which matters are of a procedural nature should be developed. Decisions referred to as being of a procedural nature could be based on the following criteria:

(a) All decisions adopted in application of provisions that appear in the Charter under the heading "procedure";

(b) All decisions concerning the relationship between the Security Council and other organs of the United Nations, or by which the Security Council seeks the assistance of other organs of the United Nations;

(c) All decisions related to the Security Council's internal functioning and the conduct of its business;

(d) All decisions that bear a close analogy to decisions included under the above-mentioned criteria;

(e) Certain decisions instrumental in arriving at or in following up a procedural decision. [A/52/47, annex XI, sect. I.A, para. 4]

(19) The permanent members shall generally be guided by the annex to General Assembly resolution 267 (III) of 14 April 1949 regarding which matters should be deemed procedural. [A/52/47, annex XI, sect. I.A, para. 5]

(20) The following decisions have been suggested to be deemed procedural, in addition to those contained in the annex to resolution 267 (III):

(f) All decisions taken by the Security Council under Chapter VI of the Charter, including:

(iv) Decisions to call upon the parties to a conflict to resort to peaceful means of conflict resolution;

(v) Decisions on mediation efforts and measures of preventive diplomacy;

(vi) Decisions calling for gathering of information or for the dispatch of observers to ascertain facts;

(g) Decisions to call upon the parties to a conflict to abide by the rules of international humanitarian law;

(h) Decisions on procedural matters related to consultations with troop-contributing countries;

(i) Decisions on the timing and modalities of submitting the report of the Security Council to the General Assembly;

(j) Recommendations of the Security Council made in accordance with Articles 4, 5, 6 and 97 of the Charter;

(k) Decisions taken under Article 40 of the Charter relating to provisional measures;

(l) Decisions adopted on the basis of implementing Article 50 of the Charter. [A/52/47, annex XI, sect. I.A, para. 6]

(21) General Assembly resolution 267 (III), with its updated annex and any agreed additional decisions deemed procedural, should be recommended to the Security Council for adoption and incorporation into its rules of procedure. [A/52/47, annex XI, sect. I.A, para. 7]

(30) The veto should be excluded in respect of matters contained in the annex to General Assembly resolution 267 (III), entitled "Decisions deemed procedural", updated as necessary. [A/52/47, annex XVI, para. 4 (b)]

(B) Permanent members of the Security Council should commit themselves not to use the veto except for matters under Chapter VII of the Charter.

The General Assembly should urge permanent members not to use the veto except for matters under Chapter VII of the Charter.

Such suggestions are contained in the following paragraphs of annex XI (A (a)):

(11) The permanent members of the Security Council, collectively or individually, should commit themselves, in a legally binding manner, not to resort to the veto or to the threat of its use beyond actions taken under Chapter VII of the Charter. [A/52/47, annex X, sect. I.A, para. 1]

(15) The permanent members of the Security Council, collectively or individually, should commit themselves, in a legally binding manner, not to resort to the veto or to the threat of its use beyond actions taken under Chapter VII of the Charter. Such commitments should be incorporated into the rules of procedure of the Security Council. [A/52/47, annex XI, sect. I.A, para. 1]

(31) To discourage the use of the veto, the General Assembly should decide to urge the original permanent members of the Security Council to limit the exercise of their veto power to actions taken under Chapter VII of the Charter. [A/52/47, annex II, para. 4 (a)]

Other suggestions

(A) Permanent members of the Security Council should make a unilateral or collective commitment not to resort to the veto.

Such suggestions are contained in the following paragraphs of annex XI (A (a)):

(5) New permanent members should commit themselves not to use the veto de facto, even if they have it de jure. [Oral proposal at the May 2000 session of the Working Group]

(10) The Security Council should explore further the possibility for unilateral declarations by the permanent members containing a commitment not to resort to the veto. [A/52/47, annex III, sect. VI.A, para. 26 (c) (ii)]

(B) If a veto is cast, there should be an explanation of the reasons for the veto.

If a veto is cast, an explanation of the reasons for the veto should be provided to the General Assembly.

Such suggestions are contained in the following paragraphs of annex XI (A (a)):

(6) The introduction of an obligation for a State to explain to the General Assembly why it is vetoing a resolution would make it more difficult to do so and thus bring about substantial progress towards using the right of veto more responsibly. [A/AC.247/2000/CRP.4]

(12) The permanent members of the Security Council should exercise the veto in a manner consistent with their responsibilities under the Charter. The permanent members should always provide a written justification whenever they exercise the veto. [A/52/47, annex X, sect. I.A, para. 2]

(16) The permanent members of the Security Council should exercise the veto in a manner consistent with their responsibilities under the Charter and in accordance with the norms of international law. The veto should be exercised only when permanent members consider the question of vital importance, taking into account the interests of the United Nations as a whole. To state upon what factual and legal ground the permanent members consider this condition to be present, they should always provide a written justification, which could be considered legally binding. [A/52/47, annex XI, sect. I.A, para. 2]

(24) In the event of any veto of a draft resolution of the Security Council, the permanent members should accompany that decision with an explanation of such action. [A/52/47, annex XIV, para. 4]

(C) Permanent members of the Security Council should exercise restraint in resorting to the veto, i.e.:

- Every endeavour should be made to arrive at consensus decisions in the Security Council so that the veto need not be used
- A veto should be exercised only when the question is of vital importance to the United Nations as a whole
- If a veto is used, a written explanation of the reason for the veto should be given and also provided to the General Assembly

Such suggestions are contained in the following paragraphs of annex XI (A (a)):

(16) The permanent members of the Security Council should exercise the veto in a manner consistent with their responsibilities under the Charter and in accordance with the norms of international law. The veto should be exercised only when permanent members consider the question of vital importance, taking into account the interests of the United Nations as a whole. To state upon what factual and legal ground the permanent members consider this condition to be present, they should always provide a written justification, which could be considered legally binding. [A/52/47, annex XI, sect. I.A, para. 2]

(26) The permanent members of the Security Council should endeavour not to resort to the veto or to the threat of its use. They should exercise the veto in a manner consistent with their responsibilities under the Charter. The General

Assembly should adopt a declaration encouraging Security Council members to make every effort to seek consensus in the Council's decision-making process. [A/52/47, annex XV]

(29) The permanent members of the Security Council, mindful of the fact that they are acting on behalf of the United Nations as a whole, should exercise the veto only when they consider the question to be of vital importance, taking into account the interest of the United Nations as a whole, and should state in each case, in writing, on what ground they consider that condition to be present. [A/52/47, annex XVI, para. 4 (a)]

Suggestions of a more general nature

Such suggestions are contained in the following paragraphs of annex XI (A (a)):

(4) The proposals regarding limitation of the rights of the veto, found in the 1948 documents submitted to the Interim Committee by representatives of China (A/AC.18/13), the United Kingdom of Great Britain and Northern Ireland (A/AC.18/17) and the United States of America (A/AC.18/41), should be considered. [Oral proposal at May 2000 session of the Working Group]

(9) The Security Council should further explore the proposal for a provision enabling a permanent member to cast a negative vote without that vote constituting a veto if the member so declares. [A/52/47, annex III, sect. VI.A, para. 26 (c) (i)]

(14) The General Assembly should adopt a declaration expressing its attitude towards the veto as a voting instrument in the Security Council, encouraging Security Council members to make every effort to seek consensus in the Council's decision-making process. The declaration should also contain recommendations to the Council aimed at curtailing, limiting or discouraging the use of the veto. [A/52/47, annex X, sect. I.A, para. 5]

(17) The Security Council should introduce a practice whereby a permanent member would be able to cast a negative vote without such a vote constituting a veto when the member so declares. This would be similar to the current practice concerning the abstention, non-participation or absence of a permanent member in the Council's decision-making process. [A/52/47, annex XI, sect. I.A, para. 3]

(22) General Assembly resolution 267 (III), with its updated annex and any agreed additional decisions deemed procedural, should be recommended to the Security Council for adoption and incorporation into its rules of procedure. [A/52/47, annex XI, sect. I.A, para. 7]

(23) The members of the Security Council shall make every effort to seek consensus in the Council's decision-making process. [A/52/47, annex XIV, para. 1]

(25) A high-level working group should consider the question of the veto and submit any agreed recommendations to the General Assembly as soon as it is able, if possible prior to the adoption of Charter amendments. [A/52/47, annex XIV, para. 5]

(27) The General Assembly, in accordance with Article 10 of the Charter, would make specific recommendations aimed at reducing areas where the veto can be applied. [A/52/47, annex XVI, para. 3 (a)]

(28) The existing permanent members would state, individually or collectively, in writing, that they would commit themselves to exclude the use of the veto as recommended by the General Assembly. [A/52/47, annex XVI, para. 3 (b)]

III. Principal elements in the suggestions

A. Suggestions intended to leave the veto in its present form

The veto in its present form should be maintained.

B. Suggestions intended to preclude or limit exercise of the veto

Suggestions relating to the scope of the veto

(a) What constitutes "procedural" matters, in terms of Article 27, paragraph 2, of the Charter, should be established by an updating of the annex to General Assembly resolution 267 (III) *and* should be applied by the Security Council.

(b) Permanent members should commit themselves not to use the veto except for matters under Chapter VII of the Charter.

(c) The General Assembly should urge permanent members not to use the veto except for matters under Chapter VII of the Charter.

Other suggestions

(a) Permanent members of the Security Council should make unilateral or collective commitments not to use the veto.

(b) Permanent members of the Security Council should exercise restraint in resorting to the veto, i.e.:

- Every endeavour should be made to arrive at consensus decisions in the Security Council so that the veto need not be used
- A veto should only be exercised when the question is of vital importance to the United Nations as a whole
- If a veto is used, a written explanation of the reason for the veto should be given and also provided to the General Assembly

Annex V

Decision-making in the Security Council: the veto as a voting instrument in the Security Council

Conference room paper submitted by the Bureau of the Working Group

Addendum*

I. Suggestions with reference to the veto, in annex XI to the report of the Open-ended Working Group of 25 July 2000 (A/54/47), that would require amendment of the Charter

(b) Proposals requiring Charter amendment

(1) The exercise of the veto could be confirmed by two thirds of the vote of the members of the General Assembly. (oral proposal at the July 2000 session of the Working Group)

(2) The veto should be completely eliminated. (oral proposal at the July 2000 session of the Working Group)

(3) In the context of Article 103 of the Charter, any curtailment of the veto power necessarily entails an amendment to the Charter. [written proposal submitted to the Bureau after the June 2000 session of the Working Group]

(4) The veto should be curtailed with a view to its elimination and the Charter should be amended so that, as a first step, the veto power should only apply to actions taken under Chapter VII of the Charter. [A/53/47, annex X, para. 6]

(5) The exercise of the veto should be progressively curtailed until abrogated. [A/53/47, annex XIII, para. 6 (c)]

(6) The Charter should be amended so that a single veto will not prevent action on a proposal that has achieved the required majority. [A/52/47, annex III, sect. VI.A, para. 26 (a) (ii)]

(7) The Charter should be amended so that Article 4, paragraph 2, and Articles 5, 6, 27, 97, 108 and 109 are changed with a view to limiting the application of the veto. [A/52/47, annex III, sect. VI.A, para. 26 (a) (iv)]

(8) The Charter should be amended so that, as a first step, the veto would apply only to decisions taken under Chapter VII of the Charter, inter alia, through amendments to Articles 4, 5, 6, 27, 97, 108 and 109. [A/52/47, annex XI, sect. I.B, para. 8]

(9) Paragraph 2 of Article 27.2, pertaining to decisions on procedural matters, should be redefined. [A/52/47, annex XI, sect. I.B, para. 9]

(10) The Charter should be amended to provide, as part of the voting mechanism of the Security Council under Article 27 of the Charter, for a reference to

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* Previously issued as document A/AC.247/2001/CRP.2/Add.1.

the veto with all its specific criteria. [A/52/47, annex XI, sect. I.B, para. 10]

(11) The Charter should be amended to provide for suspension of the veto on specific occasions, as defined by a prescribed qualified majority of the General Assembly. [A/52/47, annex XI, sect. I.B, para. 11]

(12) The Charter should be amended so that at least two negative votes by permanent members of the Security Council would be required to prevent the adoption of a decision that has received the required majority. [A/52/47, annex XI, sect. I.B, para. 12]

(13) The veto should be excluded in respect of recommendations under Articles 4, 5, 6 and 97 of the Charter. [A/52/47, annex XVI, para. 4 (c)]

(14) Time limits should be established on the right of the veto, which, by its nature, should not be perpetual. In the year 2030, approximately 85 years will have passed since the occurrence of the events that justified its creation. The permanent members of the Security Council should recognize the concept that their right to the veto cannot be eternal and should commit themselves to discussing its abolition in that year or another close to it, to be determined by mutual agreement, or should indicate the conditions required for them to accept the abolition of the veto at a given time. [A/52/47, annex XVII]

(15) Use of the veto should be curtailed with a view to its eventual elimination. [A/51/47, annex XI, para. 1.4]

(16) Current efforts to limit the use of the veto, as stipulated in the Charter (Chapter VI), should continue to be encouraged as they reflect the consensus that is currently emerging in international relations. The number of vetoes required to block action should be increased. [A/50/47, annex IV, para. 33 (e)]

(17) Pending the ultimate elimination of the veto, the entitlement to the veto should be so modified that it is available only where a minimum of two [or three] permanent members concur in its exercise. [A/50/47, annex XV, para. IV.C.3]

II. Grouping of suggestions according to their similarities

A. Suggestion that the veto be eliminated

Such a suggestion is contained in the following paragraph of annex XI, section I.A (b):

(2) The veto should be completely eliminated. (oral proposal at the July 2000 session of the Working Group)

B. Suggestions that Article 27 of the Charter should define more clearly where a veto is permissible

Such suggestions are contained in the following paragraphs of annex XI, section I.A (b):

(9) Paragraph 2 of Article 27.2, pertaining to decisions on procedural matters, should be redefined. [A/52/47, annex XI, sect. I.B, para. 9]

(10) The Charter should be amended to provide, as part of the voting mechanism of the Security Council under Article 27 of the Charter, for a reference to the veto with all its specific criteria. [A/52/47, annex XI, sect. I.B, para. 10]

C. Suggestion that any curtailment of the veto requires Charter amendment

Such a suggestion is contained in the following paragraph of annex XI, sect. I.A (b):

(3) In the context of Article 103 of the Charter, any curtailment of the veto power necessarily entails an amendment to the Charter. [written proposal submitted to the Bureau after the June 2000 session of the Working Group]

D. Suggestions that the veto be initially curtailed with a view to later elimination

(a) Suggestions of a general nature

Such suggestions are contained in the following paragraphs of annex XI, sect. I.A (b):

(5) The exercise of the veto should be progressively curtailed until abrogated. [A/53/47, annex XIII, para. 6 (c)]

(15) Use of the veto should be curtailed with a view to its eventual elimination. [A/51/47, annex XI, para. I.4]

(b) Suggestions of a specific nature

Limitation of veto to actions under Chapter VII of the Charter

Such suggestions are contained in the following paragraphs of annex XI, sect. I.A (b):

(4) The veto should be curtailed with a view to its elimination and the Charter should be amended so that, as a first step, the veto power should only apply to actions taken under Chapter VII of the Charter. [A/53/47, annex X, para. 6]

and

(8) The Charter should be amended so that, as a first step, the veto would apply only to decisions taken under Chapter VII of the Charter, inter alia, through amendments to Articles 4, 5, 6, 27, 97, 108 and 109. [A/52/47, annex XI, sect. I.B, para. 8]

(7) The Charter should be amended so that Article 4, paragraph 2, and Articles 5, 6, 27, 97, 108 and 109 are changed with a view to limiting the application of the veto. [A/52/47, annex III, sect. VI.A, para. 26 (a) (iv)]

and

(13) The veto should be excluded in respect of recommendations under Articles 4, 5, 6 and 97 of the Charter. [A/52/47, annex XVI, para. 4 (c)]

E. Suggestions that more than one negative vote (of permanent members) be required for a veto

Such suggestions are contained in the following paragraphs of annex XI, sect. I.A. (b):

(6) The Charter should be amended so that a single veto will not prevent action on a proposal that has achieved the required majority. [A/52/47, annex III, sect. VI.A, para. 26 (a) (ii)]

(12) The Charter should be amended so that at least two negative votes by permanent members of the Security Council would be required to prevent the adoption of a decision that has received the required majority. [A/52/47, annex XI, sect. I.B, para. 12]

(16) Current efforts to limit the use of the veto, as stipulated in the Charter (Chapter VI), should continue to be encouraged as they reflect the consensus that is currently emerging in international relations. The number of vetoes required to block action should be increased. [A/50/47, annex IV, para. 33 (e)]

(17) Pending the ultimate elimination of the veto, the entitlement to the veto should be so modified that it is available only where a minimum of two [or three] permanent members concur in its exercise. [A/50/47, annex XV, para. IV.C.3]

F. Suggestions that a veto be subject to General Assembly action

Such suggestions are contained in the following paragraphs of annex XI, sect. I.A (b):

(1) The exercise of the veto could be confirmed by two thirds of the vote of the members of the General Assembly. (oral proposal at the July 2000 session of the Working Group)

(11) The Charter should be amended to provide for suspension of the veto on specific occasions, as defined by a prescribed qualified majority of the General Assembly. [A/52/47, annex XI, sect. I.B, para. 11]

G. Other suggestions

The suggestions in annex XI, sect. I.A (b), also contain the following general suggestion:

(14) Time limits should be established on the right of the veto, which, by its nature, should not be perpetual. In the year 2030, approximately 85 years will have passed since the occurrence of the events that justified its creation. The permanent members of the Security Council should recognize the concept that their right to the veto cannot be eternal and should commit themselves to discussing its abolition in that year or another close to it, to be determined by mutual agreement, or should indicate the conditions required for them to accept the abolition of the veto at a given time. [A/52/47, annex XVII]

III. Principal elements in the suggestions

I. The veto should be eliminated

II. Article 27 of the Charter should define more clearly where a veto is permissible

III. Curtailment of the veto

- (a) Any curtailment of the veto requires Charter amendment
- (b) The veto should be initially curtailed, with a view to later elimination
- (i) Suggestions of a general nature

  The veto should be initially curtailed with a view to eventual elimination

- (ii) Suggestions of a specific nature
  - a. Limitation of the veto to actions under Chapter VII of the Charter — relevant articles of the Charter to be appropriately amended
  - b. More than one negative vote (of permanent members) to be required for exercise of a veto
  - c. Exercise of a veto to be subject to General Assembly action

Annex VI

Expansion of the Security Council: total size of an enlarged Security Council

Conference room paper submitted by the Bureau of the Working Group*

I. Suggestions contained in annex XI, section II.A, of the report of the Open-ended Working Group (A/54/47) concerning the question of the total size of an enlarged Security Council

(1) The size of the reformed Security Council should enable the inclusion of both new permanent and new non-permanent members, both from developed and developing countries. [Oral proposal at May 2000 session of the Open-ended Working Group; amended at July 2000 session]

(2) The size of the reformed Security Council should only include new non-permanent members based on the principle of sovereign equality of States and equitable geographical distribution. [Oral proposal at July 2000 session of the Open-ended Working Group]

(3) In case of expansion of the Council under any formula, the current ratio of permanent and non-permanent seats should not be altered to the detriment of the non-permanent seats. [Written proposal submitted during June 2000 session of the Open-ended Working Group]

(4) Option I: 20
Option II: 21
Option III: 22
Option IV: 23
Option V: 24
Option VI: 25
Option VII: 26
Option VIII: At least 26 [A/52/47, annex XIX, sect. I; amended in written proposal submitted during May 2000 session of the Open-ended Working Group]

(5) There should be an increase in the membership of the Security Council by not less than 11 members, based on the principles of equitable geographical distribution and sovereign equality of States. [See A/53/47, annex X, para. 3 (d); see also A/52/47, annex XXXI, para. 7, and A/51/47, annex XI, para. 28]

(6) The membership of the Security Council should be expanded to 26. [See A/53/47, annex XIII, appendix, para. 2; see also A/51/47, annex XII, para. 2]

(7) The membership of the Security Council should be expanded to at least 26. [See A/52/47, annex XXI, appendix, para. 2]

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* Previously issued as document A/AC.247/2001/CRP.2/Add.2.

(8) Increase the membership of the Security Council from 15 to 24. [See A/51/47, annex II, para. 1 (a)]

(9) The upper numerical limit for the size of the Security Council should be no greater than 25. [See A/51/47, annex III, para. 7]

(10) The size of the reformed Security Council should be from 24 to 26. [See A/51/47, annex IX, para. 2]

The following paragraph was included in annex XI, section II.C, of the report:

> (17) With eight new permanent members and five existing and 10 existing non-permanent members, the membership would alone total 23; and there should be seven new non-permanent members, making a total of 30 members. [A/50/47, annex XVI, sect. IV, para. 18]

II. Grouping of suggestions according to similarities

A. Suggestions in numerical terms

(4) Option I: 20
Option II: 21
Option III: 22
Option IV: 23
Option V: 24
Option VI: 25
Option VII: 26
Option VIII: At least 26 [A/52/47, annex XIX, sect. I; amended in written proposal submitted during May 2000 session of the Open-ended Working Group]

(5) There should be an increase in the membership of the Security Council by not less than 11 members, based on the principles of equitable geographical distribution and sovereign equality of States. [See A/53/47, annex X, para. 3 (d); see also A/52/47, annex XXXI, para. 7, and A/51/47, annex XI, para. 28]

(6) The membership of the Security Council should be expanded to 26. [See A/53/47, annex XIII, appendix, para. 2; see also A/51/47 , annex XII, para. 2]

(7) The membership of the Security Council should be expanded to at least 26. [See A/52/47, annex XXI, appendix, para. 2]

(8) Increase the membership of the Security Council from 15 to 24. [See A/51/47, annex II, para. 1 (a)]

(9) The upper numerical limit for the size of the Security Council should be no greater than 25. [See A/51/47, annex III, para. 7]

(10) The size of the reformed Security Council should be from 24 to 26. [See A/51/47, annex IX, para. 2]

The following paragraph was included in annex XI, section II.C, of the report:

> (17) With eight new permanent members and five existing, and 10 existing non-permanent members, the membership would alone total 23; and

there should be seven new non-permanent members making a total of 30 members. [A/50/47, annex XVI, sect. IV, para. 18]

B. Other suggestions as to total size

(1) The size of the reformed Security Council should enable the inclusion of both new permanent and new non-permanent members, both from developed and developing countries. [Oral proposal at May 2000 session of the Open-ended Working Group; amended at July 2000 session of the Open-ended Working Group]

(2) The size of the reformed Security Council should only include new non-permanent members based on the principle of sovereign equality of States and equitable geographical distribution. [Oral proposal at July 2000 session of the Open-ended Working Group]

(3) In case of expansion of the Council under any formula, the current ratio of permanent and non-permanent seats should not be altered to the detriment of the non-permanent seats. [Written proposal submitted during June 2000 session of the Open-ended Working Group]

III. Principal elements of suggestions

A. Suggestions in numerical terms

(i) Membership in the reformed Security Council should be:

20, 21, 22, 23, 24, 25, 26, at least 26 [See A/52/47, annex XIX, sect. I; amendment in written proposal submitted during May 2000 session of the Open-ended Working Group]

B. Other suggestions

(i) **Size of reformed Security Council should enable inclusion of new permanent and new non-permanent members from developed and developing countries**.

(ii) A reformed Security Council should only include non-permanent members on the basis of sovereign equality and equitable geographical distribution.

(iii) Current ratio of permanent and no-permanent seats should not in a reformed Security Council be altered to the detriment of non-permanent seats.

Annex VII

Increase in the permanent membership in an expanded Security Council

Conference room paper submitted by the Bureau of the Working Group*

I.A. Suggestions contained in annex XI, section II.B, of the report of the Open-ended Working Group (A/54/47) concerning the increase in the permanent membership in the expanded Security Council

(1) Any proposal to establish new permanent members based upon the criteria of "industrialized countries", "developed countries" or "developing countries" should clearly and unequivocally provide a definition for such notions. [Written proposal submitted to the Bureau after the June 2000 session of the Open-ended Working Group]

(2) There should be no new permanent members. [Oral proposal at the June 2000 session of the Open-ended Working Group]

(3) There should be one permanent seat for the European Union. [Oral proposal at the June 2000 session of the Open-ended Working Group]

(4) Enlargement of the Security Council should take place in both permanent and non-permanent membership. New permanent membership should include both industrialized and developing countries. [Written proposal submitted to the Bureau during the May 2000 session of the Open-ended Working Group]

(5) Enlargement in the permanent and non-permanent categories of membership should be considered together. [Written proposal submitted to the Bureau during the May 2000 session of the Open-ended Working Group]

(6) Enlargement of the Security Council should take place in both categories, the permanent category and the non-permanent category, in parallel, taking into account candidates from both developing countries and industrialized countries. Five new permanent seats should be distributed according to the following pattern:

(a) One to the developing States of Africa;

(b) One to the developing States of Asia;

(c) One to the developing States of Latin America and the Caribbean;

(d) Two to industrialized States. [Written proposal at the May 2000 session of the Open-ended Working Group]

(7) Enlargement of the Security Council should take place in the non-permanent membership only. [Oral proposal at the May 2000 session of the Open-ended Working Group]

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* Previously issued as document A/AC.247/CRP.2/Add.3.

(8) The question of the possible extension of the veto to any new permanent members of the Security Council should be considered at the end of the process of agreeing the reform package. [Written proposal submitted to the Bureau during the May 2000 session of the Open-ended Working Group]

(9) The enlargement of the Council should include representatives of both industrialized and developing countries. [Written proposal submitted to the Bureau during the May 2000 session of the Open-ended Working Group]

(10) Africa should be allocated no less than two permanent seats. These seats will be allotted to countries by a decision of the Group of African States itself, in accordance with a system of rotation based on the current established criteria of the Organization of African Unity (OAU) and subsequent elements which might improve those criteria. [See A/53/47, annex XIII, para. 2 (a); see also A/51/47, annex XII, para. 2 (a)]

(11) New permanent members should be granted the same prerogatives and powers as the current permanent members. [See A/53/47, annex XIII, para. 3 (a); see also A/52/47, annex XX, para. 3, and A/52/47, annex XXI, para. 4]

(12) Extension of the veto to new permanent members should be considered only in the context of curtailment or limitation of its use by the current permanent members. [See A/52/47, annex XX, para. 1]

(13) The veto should not be extended to new permanent members. [See A/52/47, annex XX, para. 2]

(14) Candidates for permanent membership should indicate their willingness to become new permanent members of the Security Council without the veto. [See A/52/47, annex XX, para. 4]

(15) New permanent members should agree not to exercise their veto until a periodic review of the enlarged Security Council has taken place. [See A/52/47, annex XX, para. 5]

(16) A decision on the extension of the veto to the new permanent members should be taken once the new permanent members of the Security Council have been elected. [See A/52/47, annex XX, para. 6]

(17) A high-level working group of the General Assembly should be established to consider the extent to which the veto should be extended to new permanent members. During this interim period, the new permanent members will not individually exercise the veto, and the concurring vote of a determined number of new permanent members (for example four out of five) will be required to arrive at a Security Council decision on matters which are not procedural and taken under Chapter VII of the Charter. [See A/52/47, annex XX, para. 7]

(18) In the case of an increase in the permanent membership of the Security Council, Asia should be allocated two permanent seats. These two seats will be allotted to countries by a decision of the Group of Asian States itself, in accordance with a system of rotation, the modalities for which will be discussed in the context of a working group to be established for that purpose. [See A/52/47, annex XXI, para. 3]

(19) A high-level working group shall consider the extent to which the veto right is extended to new permanent members. [See A/52/47, annex XXI, para. 3]

(20) During an interim period, the new permanent members will not individually exercise the veto right. During that period, the concurring vote of at least four out of five new permanent members will be required to arrive at a Security Council decision on matters which are not procedural and are taken under Chapter VII of the Charter. [See A/52/47, annex XXII, paras. 4 and 5]

(21) Five new permanent members of the Security Council should be elected according to the following patterns:

(a) One from the developing States of Africa;

(b) One from the developing States of Asia;

(c) One from the developing States of Latin America and the Caribbean;

(d) Two from industrialized States. [See A/51/47, annex II, para. 1 (b)]

(22) Enlargement in the permanent members of the Council must include countries from the underrepresented regions of Africa, Asia, Latin America and Caribbean. Germany and Japan are already perceived by many as candidates for permanent seats. [See A/51/47, annex III, para. 8]

(23) In the event of an increase in the number or permanent Security Council seats, a permanent seat with full privileges will be allocated to the Group of Arab States. This seat would rotate among the Arab States in accordance with the usual practice in the League of Arab States. [See A/51/47, annex VIII, appendix, sect. A, para. 4 (b)]

(24) The number of permanent members should be increased by five or six. In the event that it is decided to increase the number of permanent members by five, the permanent seats will be distributed according to the following pattern:

(a) One to the developing States of Africa (note: OAU has made a case for two permanent seats for African States);

(b) One to the developing States of Asia;

(c) One to the developing States of Latin America and the Caribbean;

(d) Two to industrialized States. [See A/51/47, annex IX, sect. II, para. 3]

(25) Given that permanent regional representation was discussed, it is not precluded that a region may determine its own selection, taking into account regional consideration prior to the election by the General Assembly. [See A/51/47, annex IX, sect. II, para. 4]

(26) Permanent seats should be granted to Germany and Japan. The enlargement of the Council should also ensure a wider representation for the countries of Asia, Africa and Latin America and the Caribbean. [See A/51/47, annex X, sect. II, para. 9]

(27) The establishment of new permanent seats would extend a situation of eternal privilege to the other countries. Such a development would be anachronistic and incompatible with the principle of sovereign equality of States, which lies at the foundation of the United Nations. A more equitable solution would be to increase non-permanent seats only, preferably to rotate on a regional basis. [See A/51/47, annex XIII, sect. I; amended orally during the June 2000 session of the Open-ended Working Group]

(28) Africa should be allocated no fewer than two permanent seats with all the privileges attached thereto, as long as the institution of permanent membership remains in force. [See A/51/47, annex IV, para. 34]

(29) There should be an increase from five to 10 in the number of permanent members who would have the same powers and responsibilities as the current members. The five additional members could be designated, preferably on a regional basis, by the General Assembly, by a two-thirds majority vote and taking into account equitable geographical distribution and their capacity to contribute to peacekeeping operations. [See A/50/47, annex XI]

(30) If the membership of the Security Council is increased to 20, two members could be permanent and three could be non-permanent with a longer term. If the membership is increased to 22, three members could be permanent and four could be non-permanent with a longer term, and so forth. [See A/50/47, annex XI]

(31) A new sub-category of financial permanent membership should be introduced, whereby individual States would qualify for membership on the basis of substantial contributions to the Organization's budget. [See A/50/47, annex XV, sect. IV.C.1, para. 23]

(32) Two alternative models are proposed. In the first model: (a) the permanent five would be unchanged; (b) there would be one additional permanent member assigned to each of the five United Nations regional groups except Western European and Other; and (c) there would be financial permanent members, which would be likely to be two in number (not including the United States of America, already included under (a)). In the second model, (d) on the basis of democracy and equality, each regional group would return two permanent members: the existing permanent five would be deemed to be included in the quota of their respective groups except in the case of United States; (e) there would be three financial permanent members, including the United States. [See A/50/47, annex XV, sect. V.A, paras. 28 and 29]

(33) In the political and economic context, Asia, Africa and Latin America and the Caribbean are regions of developing countries. These three regions require permanent representation. It is also conceivable that the industrialized countries are an identifiable region. Japan and Germany are in that group. It is proposed that each developing region be allocated two seats. Each seat will clearly represent countries of the region and not purely that of a country. A regional mechanism will decide on how the seats are to be allocated. [See A/50/47, annex XVI, sect. II, paras. 7-9]

(34) The permanent members should be increased by five new seats. Three new permanent seats should be for developing countries of Africa, Asia and Latin America. Two new permanent seats should be for industrialized countries. [See A/50/47, annex XVII, para. 8]

(35) Two additional seats for permanent members of the Security Council should be created to include Germany and Japan. [See A/50/47, annex XVIII, sect. V.A, para. 7]

The following suggestion is to be found in annex XI, section II.C of the report:

(17) With eight new permanent members and five existing and 10 existing non-permanent members, the membership would alone total 23, and there should be seven new non-permanent members making a total of 30 members. [See A/50/47, annex XVI, sect. IV, para. 18]

I.B. Suggestion contained in annex XI, section II.B, of the report of the Open-ended Working Group (A/54/47) concerning the veto

Some of the suggestions contained in annex XI, section II.B., of the report (A/54/47) concerned the veto. They are, therefore, set out separately below.

(8) The question of the possible extension of the veto to any new permanent members of the Security Council should be considered at the end of the process of agreeing the reform package. [Written proposal submitted to the Bureau during the May 2000 session of the Open-ended Working Group]

(11) New permanent members should be granted the same prerogatives and powers as the current permanent members. [See A/53/47, annex XIII, para. 3 (a); see also A/52/47, annex XX, para. 3, and A/52/47, annex XXI, para. 4]

(12) Extension of the veto to new permanent members should be considered only in the context of curtailment or limitation of its use by the current permanent members. [See A/52/47, annex XX, para. 1]

(13) The veto should not be extended to new permanent members. [See A/52/47, annex XX, para. 2]

(14) Candidates for permanent membership should indicate their willingness to become new permanent members of the Security Council without the veto. [See A/52/47, annex XX, para. 4]

(15) New permanent members should agree not to exercise their veto until a periodic review of the enlarged Security Council has taken place. [See A/52/47, annex XX, para. 5]

(16) Decision on the extension of the veto to the new permanent members should be taken once the new permanent members of the Security Council have been elected. [See A/52/47, annex XX, para. 6]

(17) A high-level working group of the General Assembly should be established to consider the extent to which the veto should be extended to new permanent members. During this interim period, the new permanent members will not individually exercise the veto and the concurring vote of a determined number of new permanent members (for example four out of five) will be required to arrive at a Security Council decision on matters which are not procedural and taken under Chapter VII of the Charter. [See A/52/47, annex XX, para.7]

(19) A high-level working group shall consider the extent to which the veto right is extended to new permanent members. [See A/52/47, annex XXI, para. 3]

(20) During an interim period, the new permanent members will not individually exercise the veto right. During that period, the concurring vote of at least four

out of five new permanent members will be required to arrive at a Security Council decision on matters which are not procedural and are taken under Chapter VII of the Charter. [See A/52/47, annex XXII, paras. 4 and 5]

II. Groupings of suggestions according to similarities

A. Suggestions of a general nature

(1) Any proposal to establish new permanent members based upon the criteria of "industrialized countries", "developed countries" or "developing countries" should clearly and unequivocally provide a definition for such notions. [Written proposal submitted to the Bureau after the June 2000 session of the Open-ended Working Group]

(2) There should be no new permanent members. [Oral proposal at the June 2000 session of the Open-ended Working Group]

(3) Enlargement of the Security Council should take place in both permanent and non-permanent membership. New permanent membership should include both industrialized and developing countries. [Written proposal submitted to the Bureau during the May 2000 session of the Open-ended Working Group]

(5) Enlargement in the permanent and non-permanent categories of membership should be considered together. [Written proposal submitted to the Bureau during the May 2000 session of the Open-ended Working Group]

(7) Enlargement of the Security Council should take place in the non-permanent membership only. [Oral proposal at the May 2000 session of the Open-ended Working Group]

The following suggestion is to be found in annex XI, section II.C.

(7) If there is no agreement on other categories of membership, expansion should take place, for the time being, only in the non-permanent category. [See A/53/47, annex X, para. 5]

B. Suggestions for allocation of permanent seats having regard to regions

Allocations among regions

(6) Enlargement of the Security Council should take place in both categories, the permanent category and the non-permanent category, in parallel, taking into account candidates from both developing countries and industrialized countries. Five new permanent seats should be distributed according to the following pattern:

(a) One to the developing States of Africa;

(b) One to the developing States of Asia;

(c) One to the developing States of Latin America and the Caribbean;

 (d) Two to industrialized States. [Written proposal at the May 2000 session of the Open-ended Working Group]

(9) The enlargement of the Council should include representatives of both industrialized and developing countries. [Written proposal submitted to the Bureau during the May 2000 session of the Open-ended Working Group]

(21) Five new permanent members of the Security Council should be elected according to the following patterns:

 (a) One from the developing States of Africa;

 (b) One from the developing States of Asia;

 (c) One from the developing States of Latin America and the Caribbean;

 (d) Two from industrialized States. [See A/51/47, annex II, para.1 (b)]

(22) Enlargement in the permanent members of the Council must include countries from the underrepresented regions of Africa, Asia, Latin America and Caribbean. Germany and Japan are already perceived by many as candidates for permanent seats. [A/51/47, annex III, para. 8]

(24) The number of permanent members should be increased by five or six. In the event that it is decided to increase the number of permanent members by five, the permanent seats will be distributed according to the following pattern:

 (a) One to the developing States of Africa (note: OAU has made a case for two permanent seats for African States);

 (b) One to the developing States of Asia;

 (c) One to the developing States of Latin America and the Caribbean;

 (d) Two to industrialized States. [See A/51/47, annex IX, sect. II, para. 3]

(25) Given that permanent regional representation was discussed, it is not precluded that a region may determine its own selection taking into account regional consideration prior to the election by the General Assembly. [See A/51/47, annex IX, sect. II, para. 4]

(26) Permanent seats should be granted to Germany and Japan. The enlargement of the Council should also ensure a wider representation for the countries of Asia, Africa and Latin America and the Caribbean. [See A/51/47, annex X, sect. II, para. 9]

(29) There should be an increase from five to 10 in the number of permanent members who would have the same powers and responsibilities as the current members. The five additional members could be designated, preferably on a regional basis, by the General Assembly, by a two-thirds majority vote and taking into account equitable geographical distribution and their capacity to contribute to peacekeeping operations. [See A/50/47, annex XI]

(32) Two alternative models are proposed. In the first model: (a) the permanent five would be unchanged; (b) there would be one additional permanent member assigned to each of the five United Nations regional groups except Western European and Other; and (c) there would be financial permanent members, which would be likely to be two in number (not including the United States of

America, already included under (a)). In the second model, (d) on the basis of democracy and equality, each regional group would return two permanent members: the existing permanent five would be deemed to be included in the quota of their respective groups except in the case of the United States; (e) there would be three financial permanent members, including the United States. [See A/50/47, annex XV, sect. V.A, paras. 28 and 29]

(33) In the political and economic context, Asia, Africa and Latin America and the Caribbean are regions of developing countries. These three regions require permanent representation. It is also conceivable that the industrialized countries are an identifiable region. Japan and Germany are in that group. It is proposed that each developing region be allocated two seats. Each seat will clearly represent countries of the region and not purely that of a country. A regional mechanism will decide on how the seats are to be allocated. [See A/50/47, annex XVI, sect. II, paras. 7-9]

(34) The permanent members should be increased by five new seats. Three new permanent seats should be for developing countries of Africa, Asia and Latin America. Two new permanent seats should be for industrialized countries. [See A/50/47, annex XVII, para. 8]

The following suggestion is to be found in annex XI, section II.C.

(17) With eight new permanent members and five existing, and 10 existing non-permanent members, the membership would alone total 23, and there should be seven new non-permanent members making a total of 30 members. [See A/50/47, annex XVI, sect. IV, para. 18]

Allocation of permanent seats to a particular region or a particular grouping of States

(3) There should be one permanent seat for the European Union. [Oral proposal at the June 2000 session of the Open-ended Working Group]

(10) Africa should be allocated no less than two permanent seats. These seats will be allotted to countries by a decision of the Group of African States itself, in accordance with a system of rotation based on the current established criteria of the Organization of African Unity (OAU) and subsequent elements which might improve those criteria. [See A/53/47, annex XIII, para. 2 (a); see also A/51/47, annex XII, para. 2 (a)]

(18) In the case of an increase in the permanent membership of the Security Council, Asia should be allocated two permanent seats. These two seats will be allotted to countries by a decision of the Group of Asian States itself, in accordance with a system of rotation, the modalities for which will be discussed in the context of a working group to be established for that purpose. [See A/52/47, annex XXI, para. 3]

(23) In the event of an increase in the number or permanent Security Council seats, a permanent seat with full privileges will be allocated to the Group of Arab States. This seat would rotate among the Arab States in accordance with the usual practice in the League of Arab States. [See A/51/47, annex VIII, appendix, sect. A, para. 4 (b)]

(28) Africa should be allocated no fewer than two permanent seats with all the privileges attached thereto, as long as the institution of permanent membership remains in force. [See A/51/47, annex IV, para. 34]

C. Suggestions for allocation of permanent seats having regard to financial contributions

(31) A new sub-category of financial permanent membership should be introduced whereby individual States would qualify for membership on the basis of substantial contributions to the Organization's budget. [A/50/47, annex XV, sect. IV.C.1, para. 23]

(32) Two alternative models are proposed. In the first model: (a) the permanent five would be unchanged; (b) there would be one additional permanent member assigned to each of the five United Nations regional groups except Western European and Other; and (c) there would be financial permanent members, which would be likely to be two in number (not including the United States of America, already included under (a)). In the second model, (d) on the basis of democracy and equality, each regional group would return two permanent members: the existing permanent five would be deemed to be included in the quota of their respective groups except in the case of the United States; (e) there would be three financial permanent members, including the United States. [See A/50/47, annex XV, sect. V.A, paras. 28 and 29]

III. Principal elements of suggestions

A. Suggestions of a general nature

1. There should be enlargement of both permanent and non-permanent seats to include both industrialized and developing countries. Enlargement of the Security Council of permanent and non-permanent membership should be considered together or in parallel.

2. Any proposal to establish new permanent members based on "industrialized countries" and "developing countries" should provide definitions of such notions.

3. Enlargement should take place only in non-permanent membership and there should be no new permanent members. If no agreement on other categories of membership, expansion for the time being only in non-permanent category.

B. Allocation of permanent seats having regard to regions

Allocation among regions

The following suggestions have been made as to allocations of five or more permanent seats in a reformed Security Council.

1. Allocations as follows:

   (a) One to developing States of Africa;

(b) One to developing States of Asia;

(c) One to developing States of Latin America and the Caribbean;

(d) Two to industrialized States.

Germany and Japan have been proposed as two industrialized States.

2. There should be five additional permanent seats to be designated preferably on a regional basis by the General Assembly by a two-thirds majority vote, taking into account equitable geographical distribution and capacity to contribute to peacekeeping operations.

3. Each developing region to be allocated two seats, and seats to designate the region and not a country. Regional mechanism to decide on how seats to be allocated within region.

Allocation of permanent seats to a particular region or a particular grouping of States

1. Africa to have two permanent seats to be allotted by the decision of the Group of African States, in accordance with the rotation system of OAU.

2. Two permanent seats for Asia, allocated according to a decision by the Asian Group, in accordance with the system of rotation.

3. One permanent seat for the European Union.

4. A permanent seat to the Group of Arab States. The seat to rotate among Arab States, in accordance with the practice of the League of Arab States.

C. Allocation of permanent seats having regard to financial contributions

1. A new category of financial permanent membership should be introduced qualifying individual States to permanent membership on the basis of substantial contribution to the United Nations budget.

2. There should be five additional permanent seats, allocated as follows: one assigned to each United Nations regional group except West European and Others. Two additional financial permanent members.

3. Each regional group to have two permanent members (existing permanent five) to be included in quota of their respective groups, except the United States. Three financial permanent members, including the United States.

Annex VIII

Increase in the permanent membership in an expanded Security Council

Conference room paper submitted by the Bureau of the Working Group

Corrigendum*

Section III. Principal elements of suggestions

Replace the section with the text provided below.

III. Principal elements of suggestions

I. Suggestions of a general nature concerning the expansion of the Security Council and the veto

A. Enlargement in both permanent and non-permanent membership

1. There should be enlargement in both permanent and non-permanent membership, taking into account industrialized or developed and developing countries.

2. The concepts "industrialized countries", "developed countries" and "developing countries" should be defined.

3. A reformed Security Council should provide for a category of permanent membership based on substantial contributions to the United Nations.

B. Question of the veto

1. Extension of the veto to new permanent members should be considered at the end of agreement on the reform package.

2. New permanent members should have the same prerogative and powers of current permanent members.

3. Extension of the veto to new permanent members should be considered only in the context of curtailment of veto use by the current permanent members.

4. The veto should not be extended to new permanent members.

5. New permanent members should:

(a) Indicate willingness to be permanent members without the veto.

(b) Agree not to exercise the veto until a periodic review of the enlarged Security Council has taken place.

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* Previously issued as document A/AC.247/2001/CRP.2/Add.3/Corr.1

6. A decision on the extension of the veto to new permanent members should be taken once they have been elected.

7. A high-level working group should consider the question of the extension of veto to new permanent members.

8. During the interim period, new permanent members will not individually exercise the veto, and the concurring vote of a specified number (e.g., four out of five) will be required for Security Council decision on matters that are not procedural under Chapter VII of the Charter.

II. Total size of the enlarged Security Council

The enlarged Security Council should consist of:

20 members
21 "
22 "
23 "
24 "
25 "
26 "
26 " at least
30 " at least

III. Increase in permanent membership

Allocation of permanent seats having regard to regions

Allocation among regions

1. Each developing region to be allocated two (regional) seats. Regional mechanism to determine allocation of seats within region.

2. As regards permanent regional representation, it is not precluded that a region may determine its own selection, prior to election by the General Assembly.

3. Five additional permanent seats, designated by two-thirds majority vote in General Assembly, preferably on a regional basis, taking account of equitable geographical distribution and capacity to contribute to peacekeeping operations.

4. Five additional permanent seats:

(a) One to developing States of Africa;

(b) One to developing States of Asia;

(c) One to developing States of Latin America and Caribbean;

(d) Two to industrialized States.

Germany and Japan proposed as two industrialized States.

Allocation to one particular region or to one group of States or to particular countries

1. Two permanent seats for Africa, allotted by decision of Group of African States in accordance with rotation system of OAU.

2. Two permanent seats for Asia, allocated by decision of Asian Group in accordance with system of rotation to be established by a working group formed for the purpose.

3. One permanent seat for the European Union.

4. A permanent seat for the Group of Arab States, the seat to rotate among Arab States in accordance with the practice of League of Arab States.

Allocation of permanent seats having regard to financial contributions

1. One additional permanent seat to five regional groups (except Western European and others), present five permanent members unchanged. Two additional financial permanent members.

2. Each of five regional groups would have two permanent seats, with present five permanent members (except United States) to be included in their regional groups. Three additional financial permanent members (including United States).

3. Five additional permanent seats:

(a) One to each regional group in United Nations (except Western European and others);

(b) Two additional financial permanent members.

Annex IX

Increase in the non-permanent membership of the expanded Security Council

Conference room paper submitted by the Bureau of the Working Group*

I. Suggestions contained in annex XI, section II.C, of the report of the Open-ended Working Group (A/54/47) concerning the increase in the non-permanent membership of the expanded Security Council

(1) No new individual permanent seats such as those established in 1945 should be created because they are contrary to the principle of sovereign equality of States. For the time being, the increase should take place only in the non-permanent category or by means of regional rotation modalities as agreed by consensus by the respective regional groups. [Written proposal submitted to the Bureau after the June 2000 session of the Open-ended Working Group]

(2) Enlargement of the Security Council should take place in both categories, the permanent category and the non-permanent category, in parallel, taking into account candidates from both developing countries and industrialized countries. Four new non-permanent seats should be distributed according to the following pattern:

(i) One to States of Africa;

(ii) One to States of Asia;

(iii) One to States of Latin America and the Caribbean;

(iv) One to States of Eastern Europe. [Written proposal submitted to the Bureau during the May 2000 session of the Open-ended Working Group]

(3) Enlargement in the permanent and non-permanent categories of membership should be considered together. [Written proposal submitted to the Bureau during the May 2000 session of the Open-ended Working Group]

(4) Enlargement of the Security Council should take place in the non-permanent membership only. [Oral proposal at the May 2000 session of the Open-ended Working Group]

(5) When additional non-permanent seats are distributed, no national or regional group should be discriminated against. [Oral proposal at the May 2000 session of the Open-ended Working Group]

(6) Every regional group should be allocated at least one additional non-permanent seat in the reformed Security Council. [Written proposal submitted to the Bureau during the May 2000 session of the Open-ended Working Group]

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* Previously issued as document A/AC.247/2001/CRP.2/Add.4.

(7) If there is no agreement on other categories of membership, expansion should take place, for the time being, only in the non-permanent category. [See A/53/47, annex X, para. 5; see also A/52/47, annex XXXI, para. 10, and A/51/47, annex XI, para. 29]

(8) Africa should be allocated five non-permanent seats in the expanded Security Council. [See A/53/47, annex XIII, para. 2 (b); see also A/51/47, annex XII, para. 2 (b)]

(9) Any increase in the non-permanent membership of the Security Council should ensure an enhanced representation of the Group of Eastern European States by the allocation to the said Group of one additional non-permanent seat in the enlarged Security Council. [See A/52/47, annex XXIII]

(10) Four new non-permanent members of the Security Council should be elected according to the following pattern:

(i) One from the States of Africa;

(ii) One from the States of Asia;

(iii) One from the States of Eastern Europe;

(iv) One from the States of Latin America and the Caribbean. [See A/51/47, annex II]

(11) In accordance with the principle of equitable geographical distribution, the Group of Arab States requests the allocation to the Group of at least two non-permanent seats on the Security Council. [See A/51/47, annex VIII, appendix, sect. A, para. 4.a]

(12) The number of non-permanent members should be increased by four, five or six. In the event that it is decided to increase the number of non-permanent members by four, the seats will be distributed according to the following pattern:

(a) One to the States of Africa (note: in the event that it is decided to add five seats, the additional seat should be allocated to the States of Africa);

(b) One to the States of Asia;

(c) One to the States of Eastern Europe;

(d) One to the States of Latin America and the Caribbean. [See A/51/47, annex IX, part A, sect. II, para. 5]

(13) Ten new non-permanent seats should be added. For each of these seats, three States would be rotating, making a total of 30 States. Consequently, each of them would remain two years on and four consecutive years off the Council. These 30 States, which therefore would rotate more frequently and regularly than others, should be selected on the basis of objective criteria to be determined by the General Assembly. [See A/51/47, annex XIII, sect. 2]

(14) Some States which have strength and influence in international relations and the capacity and will to make a significant contribution to the fulfilment of the Organization's purposes should be allowed to participate more frequently as members of the Council. [See A/50/47, annex VIII, para. 1]

(15) The number of non-permanent members should be increased from 10 to 15. The additional five non-permanent members could have a long term (between six and 12 years, for example) and be chosen by the General Assembly by a simple majority. Retiring members would be eligible for immediate re-election. The other 10 non-permanent members would continue to be elected by the General Assembly for a period of two years. They would not be eligible for immediate re-election at the end of their terms. [See A/50/47, annex XI, para. 1]

(16) There could be nine to 11 non-permanent members. [See A/50/47, annex XV, sect. V.B., para. 31]

(17) With eight new permanent members and five existing and 10 existing non-permanent members, the membership would alone total 23; and there should be seven new non-permanent members, making a total of 30 members. [See A/50/47, annex XVI, sect. IV, para. 18]

(18) While care should be taken not to impair the efficiency of the Security Council, an enlargement of the Council by five new permanent seats as suggested should be complemented by an enlargement with a number of new non-permanent seats in order to maintain a reasonable balance between the number of permanent and non-permanent seats on the Council and to enhance further the representativity and the equitable geographical distribution of its membership. [See A/50/47, annex XVII, para. 12]

(19) If two additional seats for permanent members of the Security Council are created, the number of non-permanent members should be increased by eight, which would make a total of 18 non-permanent members. The additional seats for non-permanent members could be distributed as follows:

(a) Four (4) seats for States of Asia and Africa;

(b) Two (2) seats for the regional group of Latin American and Caribbean countries;

(c) One (1) seat for the regional group of Western European and other countries;

(d) One (1) seat for the regional group of Eastern European countries.

The creation of eight non-permanent seats, each of which would rotate among three or four States (for a total of 24 to 32 States), would enable countries that make a substantial contribution to United Nations peacekeeping activities and the financing of the Organization and countries that represent the majority of the world's population to assume greater responsibility in the implementation of the provisions of the Charter. [See A/50/47, annex XVIII, paras. 8 and 9]

II. Groupings of suggestions according to similarities

A. Suggestions of a general nature

1. Increase only or for the time being only in the non-permanent category

(1) No new individual permanent seats such as those established in 1945 should be created because they are contrary to the principle of sovereign equality of States. For the time being, the increase should take place only in the non-permanent category or by means of regional rotation modalities as agreed by consensus by the respective regional groups. [Written proposal submitted to the Bureau after the June 2000 session of the Open-ended Working Group]

(4) Enlargement of the Security Council should take place in the non-permanent membership only. [Oral proposal at the May 2000 session of the Open-ended Working Group]

(7) If there is no agreement on other categories of membership, expansion should take place, for the time being, only in the non-permanent category. [See A/53/47, annex X, para. 5; see also A/52/47, annex XXXI, para. 10, and A/51/47, annex XI, para. 29]

2. Consideration at the same time, or in parallel, of increase in permanent and non-permanent categories

(2) Enlargement of the Security Council should take place in both categories, the permanent category and the non-permanent category, in parallel, taking into account candidates from both developing countries and industrialized countries. Four new non-permanent seats should be distributed according to the following pattern:

(i) One to States of Africa;

(ii) One to States of Asia;

(iii) One to States of Latin America and the Caribbean;

(iv) One to States of Eastern Europe. [Written proposal submitted to the Bureau during the May 2000 session of the Open-ended Working Group]

(3) Enlargement in the permanent and non-permanent categories of membership should be considered together. [Written proposal submitted to the Bureau during the May 2000 session of the Open-ended Working Group]

3. Reasonable balance between number of permanent seats and number of non-permanent seats

(18) While care should be taken not to impair the efficiency of the Security Council, an enlargement of the Council by five new permanent seats as suggested should be complemented by an enlargement with a number of new non-permanent seats in order to maintain a reasonable balance between the number of permanent and non-permanent seats on the Council and to enhance further the representativity and the equitable geographical distribution of its membership. [See A/50/47, annex XVII, para. 12]

B. Suggestions as to allocation of non-permanent seats

1. Allocation of non-permanent seats among regions

(5) When additional non-permanent seats are distributed, no national or regional group should be discriminated against. [Oral proposal at the May 2000 session of the Open-ended Working Group]

(6) Every regional group should be allocated at least one additional non-permanent seat in the reformed Security Council. [Written proposal submitted to the Bureau during the May 2000 session of the Open-ended Working Group]

(2) Enlargement of the Security Council should take place in both categories, the permanent category and the non-permanent category, in parallel, taking into account candidates from both developing countries and industrialized countries. Four new non-permanent seats should be distributed according to the following pattern:

(i) One to States of Africa;

(ii) One to States of Asia;

(iii) One to States of Latin America and the Caribbean;

(iv) One to States of Eastern Europe. [Written proposal submitted to the Bureau during the May 2000 session of the Open-ended Working Group]

(6) Every regional group should be allocated at least one additional non-permanent seat in the reformed Security Council. [Written proposal submitted to the Bureau during the May 2000 session of the Open-ended Working Group]

(10) Four new non-permanent members of the Security Council should be elected according to the following pattern:

(i) One from the States of Africa;

(ii) One from the States of Asia;

(iii) One from the States of Eastern Europe;

(iv) One from the States of Latin America and the Caribbean. [See A/51/47, annex II]

(12) The number of non-permanent members should be increased by four, five or six. In the event that it is decided to increase the number of non-permanent members by four, the seats will be distributed according to the following pattern:

(a) One to the States of Africa (note: in the event that it is decided to add seats, the additional seat should be allocated to the States of Africa);

(b) One to the States of Asia;

(c) One to the States of Eastern Europe;

(d) One to States of Latin America and the Caribbean. [See A/51/47, annex IX, part A, sect. II, para. 5]

(19) If two additional seats for permanent members of the Security Council are created, the number of non-permanent members should be increased by eight,

which would make a total of 18 non-permanent members. The additional seats for non-permanent members could be distributed as follows:

(a) Four (4) seats for States of Asia and Africa;

(b) Two (2) seats for the regional group of Latin American and Caribbean countries;

(c) One (1) seat for the regional group of Western European and other countries;

(d) One (1) seat for the regional group of Eastern European countries.

The creation of eight non-permanent seats, each of which would rotate among three or four States (for a total of 24 to 32 States), would enable countries that make a substantial contribution to United Nations peacekeeping activities and the financing of the Organization and countries that represent the majority of the world's population to assume greater responsibility in the implementation of the provisions of the Charter. [See A/50/47, annex XVIII, paras. 8 and 9]

2. Allocation of non-permanent seats to a particular region or a particular group of States

(8) Africa should be allocated five non-permanent seats in the expanded Security Council. [See A/53/47, annex XIII, para. 2 (b); see also A/51/47, annex XII, para. 2 (b)]

(9) Any increase in the non-permanent membership of the Security Council should ensure an enhanced representation of the Group of Eastern European States by the allocation to the said Group of one additional non-permanent seat in the enlarged Security Council. [See A/52/47, annex XXIII]

(11) In accordance with the principle of equitable geographical distribution, the Group of Arab States requests the allocation to the Group of at least two non-permanent seats on the Security Council. [See A/51/47, annex VIII, appendix, sect. A, para. 4.a]

C. Suggestions that some Member States should serve more frequently as non-permanent members

(13) Ten new non-permanent seats should be added. For each of these seats, three States would be rotating, making a total of 30 States. Consequently, each of them would remain two years on and four consecutive years off the Council. These 30 States, which therefore would rotate more frequently and regularly than others, should be selected on the basis of objective criteria to be determined by the General Assembly. [See A/51/47, annex XIII, sect. 2]

(14) Some States which have strength and influence in international relations, and the capacity and will to make a significant contribution to the fulfilment of the Organization's purposes, should be allowed to participate more frequently as members of the Council. [See A/50/47, annex VIII, para. 1]

(15) The number of non-permanent members should be increased from 10 to 15. The additional five non-permanent members could have a long term (between six and 12 years, for example) and be chosen by the General Assembly by a

simple majority. Retiring members would be eligible for immediate re-election. The other 10 non-permanent members would continue to be elected by the General Assembly for a period of two years. They would not be eligible for immediate re-election at the end of their terms. [See A/50/47, annex XI, para. 1]

III. Principal elements of suggestions

A. Suggestions of a general nature

1. No new permanent seats and enlargement only of non-permanent membership in Security Council. If no agreement on enlargement of other categories of membership, enlargement for the time being only in non-permanent category.
2. Enlargement in both permanent and non-permanent categories should be considered together, taking into account candidates both from developing and industrialized countries.
3. Reasonable balance should be preserved between the number of permanent seats and non-permanent seats in a reformed Security Council.

B. Allocation of non-permanent seats having regard to regions

Allocation of non-permanent seats among regions

1. Each regional group to be allocated at least one additional non-permanent seat in reformed Security Council.
2. In a reformed Security Council, there should be four non-permanent seats: one for Africa; Asia; Latin America and the Caribbean; and one for Eastern Europe.
3. A reformed Security Council should contain eight additional non-permanent seats, as follows:
   (a) Four seats for Asia and Africa;
   (b) Two seats for Latin America and the Caribbean;
   (c) One seat for Western and Others;
   (d) One seat for Eastern Europe.

Allocation of non-permanent seats to a particular region or to a particular group of States

1. In a reformed Security Council, Africa should be allotted five non-permanent seats.
2. In a reformed Security Council, Eastern Europe should be allotted one additional non-permanent seat.
3. In a reformed Security Council, the Arab States should be allotted two non-permanent seats.

C. Some Member States to serve more frequently as non-permanent members

1. States with strength and influential international relations and capacity and the will to make a significant contribution to the Organization should be allowed to participate more frequently as members of the Council.

2. Reformed Security Council to have five additional (long terms, between 6 and 12 years) non-permanent seats, to be chosen by General Assembly. Retiring members eligible for immediate re-election.

3. For a reformed Security Council, there should be 10 additional non-permanent seats, each seat to be filled consecutively, for two-year terms each, by three States, making a total of 30 eligible States for the 10 additional non-permanent seats, the 30 States to be selected by the General Assembly.

Annex X

Question of the periodic review of an enlarged Security Council

Conference room paper submitted by the Bureau of the Working Group*

I. Suggestions contained in annex XI, section III, of the report of the Open-ended Working Group (A/54/47) concerning the question of the periodic review of an enlarged Security Council

(1) The issue of periodic review is premature until the matter of reforming the Security Council is resolved. [Oral proposal at the June 2000 session of the Open-ended Working Group]

(2) A review process would not be necessary as long as any new permanent members are not added to the Security Council. [Oral proposal at the June 2000 session of the Open-ended Working Group]

(3) The issues within the mandate of the Open-ended Working Group should be subject to periodic review, which should take place every 10 to 15 years. [Written proposal submitted to the Bureau during the May 2000 session of the Open-ended Working Group]

(4) A periodic review of the structure and functioning of the Security Council is necessary in order to enable it to respond better and more effectively to the new challenges in international relations, especially with regard to international peace and security. [See A/53/47, annex XIII, para. 5]

(5) In the event that any rotational arrangements were adopted, the lists of rotating countries could be reviewed during the periodic review process. The assessment should depend essentially on the degree to which a country had managed to honour its obligations and met the increased responsibilities stemming from the rotational agreement. [See A/52/47, annex XXV, para. 2, and annex XXVI, para. 2]

(6) The first review should take place 10 to 20 years after the conclusion of the present reform exercise. There should be subsequent reviews thereafter, every 10 to 12 or 15 to 20 years. One solution would be to undertake the periodic review to coincide with the expiration of the tenure of members of those regions opting for regional rotational arrangements. [See A/52/47, annex XXV, para. 4, and annex XXVI, para. 4]

(7) The periodic review should automatically be included in the agenda of the General Assembly. The review process should be concluded within two years. [See A/52/47, annex XXV, para. 5, and annex XXVI, para. 5]

(8) The scope of the review process should be comprehensive in order to address all aspects of reform, including the status of new permanent members as well

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* Previously issued as document A/AC.247/2001/CRP.2/Add.5.

as the question of the veto and accountability. The review process should also take into account the question of under-representation as well as over-representation of any region on the Council in both permanent and non-permanent categories. [See A/52/47, annex XXV, para. 6, and annex XXVI, para. 6]

(9) The periodic review should not cover the rights and obligations held by the original five permanent members. [See A/52/47, annex XXV, para. 7, and annex XXVI, para. 8]

(10) In order to facilitate the solution of the present reform process, the veto should be discussed only during the periodic review. In this respect two aspects have been mentioned. Firstly, if the veto were to be extended to the new permanent members, they would agree not to exercise their right until the review took place. Secondly, the time leading up to the first review could be used to prepare for a more consolidated arrangement, which should include recommendations on the veto rights of the original permanent members and that of the new permanent members with a view to bridging the gap between them. [See A/52/47, annex XXV, para. 8, and annex XXVI, para. 9]

(11) The review process should not be subject to the use of the veto by the original permanent members and/or the new permanent members. [See A/52/47, annex XXV, para. 9, and annex XXVI, para. 10]

(12) A review process would be unnecessary. [See A/52/47, annex XXVI, para. 3]

(13) In order to retain their status, countries having been elected as new permanent members of the Council would either:

(a) Need to secure, at the review process, the support of at least a two-thirds majority of the membership of the United Nations;

(b) Continue as permanent members unless otherwise decided by a two-thirds majority of the membership of the United Nations. [See A/52/47, annex XXVI, para. 7]

(14) The threshold level for decision on the extension of new permanent members should be upgraded to as near as possible to the level applied during initial elections, namely, at least the two-thirds majority of all members of the United Nations. This upgrade will be all the more necessary if periodic review is genuinely intended as a mechanism to ameliorate some of the shortcomings inherent in the increase of permanent membership by providing the general membership with a reasonable opportunity to replace some or all new permanent members. The upgraded level of majority required for the extension of new permanent members during the review period can be incorporated into the new provisions of the Charter to be created with respect to the periodic review of the enlarged Security Council. [See A/52/47, annex XXVII]

II. Groupings of suggestions according to similarities

A. Scope and necessity for periodic review

Such a suggestion is contained in the following paragraphs of annex XI, section III, of the above-mentioned report:

(1) The issue of periodic review is premature until the matter of reforming the Security Council is resolved. [Oral proposal at the June 2000 session of the Open-ended Working Group]

(2) A review process would not be necessary as long as any new permanent members are not added to the Security Council. [Oral proposal at June 2000 session of the Open-ended Working Group]

(3) The issues within the mandate of the Open-ended Working Group should be subject to periodic review, which should take place every 10 to 15 years. [Written proposal submitted to the Bureau during the May 2000 session of the Open-ended Working Group]

(4) A periodic review of the structure and functioning of the Security Council is necessary in order to enable it to respond better and more effectively to the new challenges in international relations, especially with regard to international peace and security. [See A/53/47, annex XIII, para. 5]

(5) In the event that any rotational arrangements were adopted, the lists of rotating countries could be reviewed during the periodic review process. The assessment should depend essentially on the degree to which a country had managed to honour its obligations and met the increased responsibilities stemming from the rotational agreement. [See A/52/47, annex XXV, para. 2, and annex XXVI, para. 2]

(8) The scope of the review process should be comprehensive in order to address all aspects of reform, including the status of new permanent members as well as the question of the veto and accountability. The review process should also take into account the question of under-representation as well as over-representation of any region on the Council in both permanent and non-permanent categories. [See A/52/47, annex XXV, para. 6, and annex XXVI, para. 6]

(9) The periodic review should not cover the rights and obligations held by the original five permanent members. [See A/52/47, annex XXV, para. 7, and annex XXVI, para. 8]

(12) A review process would be unnecessary. [See A/52/47, annex XXVI, para. 3]

B. Timing of review

(3) The issues within the mandate of the Open-ended Working Group should be subject to periodic review, which should take place every 10 to 15 years. [Written proposal submitted to the Bureau during the May 2000 session of the Open-ended Working Group]

(6) The first review should take place 10 to 20 years after the conclusion of the present reform exercise. There should be subsequent reviews thereafter every 10 to 12 or 15 to 20 years. One solution would be to undertake the periodic review to coincide with the expiration of the tenure of members of those regions opting for regional rotational arrangements. [See A/52/47, annex XXV, para. 4, and annex XXVI, para. 4]

(7) The periodic review should automatically be included in the agenda of the General Assembly. The review process should be concluded within two years. [See A/52/47, annex XXV, para. 5, and annex XXVI, para. 5]

C. Decision-making in course of a review

(11) The review process should not be subject to the use of the veto by the original permanent members and/or the new permanent members. [See A/52/47, annex XXV, para. 9, and annex XXVI, para. 10]

(13) In order to retain their status, countries having been elected as new permanent members of the Council would either:

(a) Need to secure, at the review process, the support of at least a two-thirds majority of the membership of the United Nations;

(b) Continue as permanent members unless otherwise decided by a two-thirds majority of the membership of the United Nations. [See A/52/47, annex XXVI, para. 7]

(14) The threshold level for decision on the extension of new permanent members should be upgraded to as near as possible to the level applied during initial elections, namely, at least the two-thirds majority of all Members of the United Nations. This upgrade will be all the more necessary if periodic review is genuinely intended as a mechanism to ameliorate some of the shortcomings inherent in the increase of permanent membership by providing the general membership with a reasonable opportunity to replace some or all new permanent members. The upgraded level of majority required for the extension of new permanent members during the review period can be incorporated into the new provisions of the Charter to be created with respect to the periodic review of the enlarged Security Council. [See A/52/47, annex XXVII]

III. Principal elements of suggestions

A. Scope and necessity for periodic review

1. A periodic review of structure and functioning of the Security Council is necessary.
2. Review of the Security Council is unnecessary.
3. If there are no additional permanent members, a review would not be necessary.
4. Issues within the mandate of the Open-ended Working Group should be subject to periodical review every 10 to 15 years.

5. Review process should take into account all aspects of reform: status of new permanent members, question of veto, accountability and representation of regions in the Council.
6. Review should not cover original five permanent members.

B. Timing of review

1. Review should take place every 10 to 15 years.
2. The first review should take place every 10 to 20 years after current reform exercise, and thereafter every 10 to 12 or 15 to 20 years.
3. Review should be automatically included in agenda of the General Assembly and concluded within two years.

C. Decision-making in course of a review

1. Review should not be subject to the veto.
2. Continuance of new permanent members would be dependent on support of two-thirds majority of United Nations membership.
3. New permanent members should continue unless otherwise decided by two-thirds majority of United Nations membership.

Annex XI

Principal elements of the suggestions contained in annex XI of the report of the Working Group (A/54/47) concerning the expansion of the Security Council*

Summary prepared by the Bureau of the Working Group

I. Suggestions of a general nature

A. There should be enlargement in both permanent and non-permanent membership, taking into account industrialized or developed and developing countries

1. The concepts "industrialized countries", "developed countries" and "developing countries" should be defined.

2. A reformed Security Council should provide for a category of permanent membership based on substantial contributions to the United Nations.

B. There should be enlargement only in non-permanent membership

1. If there is no agreement on enlargement of other categories of membership, there should only be, for the time being, enlargement of the non-permanent membership.

2. For the time being, increase only in non-permanent category or by means of regional rotation modalities, as agreed by consensus by the respective regional groups.

3. States with strength and influence in international relations and the capacity and the will to make significant contribution to purposes of the United Nations should participate more frequently in the Council.

II. Total size of the enlarged Security Council

The enlarged Security Council should consist of:

20 members
21 "
22 "
23 "
24 "
25 "
26 "
26 " at least
30 " at least

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* Previously issued as document A/AC.247/2001/CRP.5.

III. Increase in permanent membership

Allocation of permanent seats having regard to regions

Allocation among regions

1. Each developing region to be allocated two (regional) seats. Regional mechanism to determine allocation of seats within region.

2. As regards permanent regional representation, it is not precluded that a region may determine its own selection, prior to election by the General Assembly.

3. Five additional permanent seats, designated by two-thirds majority vote in General Assembly, preferably on a regional basis, taking account of equitable geographical distribution and capacity to contribute to peacekeeping operations.

4. Five additional permanent seats:

(a) One to developing States of Africa;

(b) One to developing States of Asia;

(c) One to developing States of Latin America and Caribbean;

(d) Two to industrialized States.

Germany and Japan proposed as two industrialized States.

Allocation to one particular region or to one group of States or to particular countries

1. Two permanent seats for Africa, allotted by decision of Group of African States in accordance with rotation system of OAU.

2. Two permanent seats for Asia, allocated by decision of Asian Group in accordance with system of rotation to be established by a working group formed for the purpose.

3. One permanent seat for the European Union.

4. A permanent seat for the Group of Arab States, the seat to rotate among Arab States in accordance with the practice of League of Arab States.

Allocation of permanent seats having regard to financial contributions

1. One additional permanent seat to five regional groups (except Western European and others), present five permanent members unchanged. Two additional financial permanent members.

2. Each of five regional groups would have two permanent seats, with present five permanent members (except United States) to be included in their regional groups. Three additional financial permanent members (including United States).

3. Five additional permanent seats:

(a) One to each regional group in United Nations (except Western European and others);

(b) Two additional financial permanent members.

IV. Increase in non-permanent membership

A. Allocation of non-permanent seats having regard to regions

Allocation of non-permanent seats among regions

1. Every regional group should be allocated at least one additional non-permanent seat.

2. There should be four additional non-permanent seats, as follows:

   (a) One for Africa;

   (b) One for Asia;

   (c) One for Latin America and the Caribbean;

   (d) One for Eastern Europe;

3. There should be eight additional non-permanent seats, as follows:

   (a) Two seats for Africa;

   (b) Two seats for Asia;

   (c) Two seats for Latin America and the Caribbean;

   (d) One seat for Western Europe and others;

   (e) One seat for Eastern Europe.

Allocation of non-permanent seats to one particular region or to one group of States

1. There should be five non-permanent seats for Africa.

2. There should be one additional seat for Eastern Europe.

3. There should be two non-permanent seats for the Arab group of States.

B. Some States to participate more frequently as non-permanent members

1. There should be five additional (long terms, 6 to 12 years) non-permanent seats to be chosen by the General Assembly, with retiring members eligible for re-election. The other 10 non-permanent seats would continue as at present.

2. If there are eight new non-permanent seats (additional to the present 10 non-permanent seats), each seat could "rotate" among three or four States, enabling (24 to 32) countries that make substantial contribution to peacekeeping activities and United Nations financing and represent the majority of the world's population to assume greater responsibility in implementing the Charter.

3. There should be 10 additional non-permanent seats, to be allocated between 30 States selected by the General Assembly: three States for each seat, and each of the three States to serve a two-year term.

Annex XII

Principal elements of the suggestions contained in annex XI of the report of the Working Group (A/54/47) concerning the expansion of the Security Council*

Revised summary prepared by the Bureau of the Working Group

I. Introduction

The attention of the Bureau has been drawn to the fact that at the outset it was not clear that document A/AC.247/2001/CRP.5 was intended to "cover" only the "principal element sections" of documents A/AC.247/2001/CRP.2/Add.2-4 with reference to section II (Expansion of the Security Council) of annex XI of the report of the Working Group (A/54/47). In other words, document A/AC.247/2001/CRP.5 does not cover the principal element sections of documents A/AC.247/2001/CRP.2 and Add.1 with reference to section I (Decision-making in the Security Council, including the veto) of annex XI of the report. Accordingly, the Bureau has prepared the present revision in order to take into account the suggestions relating to the veto that are to be found in section II of annex XI of the report.

II. Suggestions of a general nature concerning the expansion of the Security Council and the veto

A. Enlargement in both permanent and non-permanent membership

1. There should be enlargement in both permanent and non-permanent membership, taking into account industrialized or developed and developing countries.

2. The concepts "industrialized countries", "developed countries" and "developing countries" should be defined.

3. A reformed Security Council should provide for a category of permanent membership based on substantial contributions to the United Nations.

B. Question of the veto

1. Extension of the veto to new permanent members should be considered at the end of agreement on the reform package.

2. New permanent members should have the same prerogative and powers of current permanent members.

3. Extension of the veto to new permanent members should be considered only in the context of curtailment of veto use by the current permanent members.

4. The veto should not be extended to new permanent members.

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* Previously issued as document A/AC.247/2001/CRP.5/Rev.1.

5. New permanent members should:

(a) Indicate willingness to be permanent members without the veto;

(b) Agree not to exercise the veto until a periodic review of the enlarged Security Council has taken place.

6. A decision on the extension of the veto to new permanent members should be taken once they have been elected.

7. A high-level working group should consider the question of the extension of veto to new permanent members.

8. During the interim period, new permanent members will not individually exercise the veto, and the concurring vote of a specified number (e.g., four out of five) will be required for Security Council decision on matters that are not procedural under Chapter VII of the Charter.

C. Enlargement only in non-permanent membership

1. There should be enlargement only in non-permanent membership.

2. If there is no agreement on enlargement of other categories of membership, there should only be, for the time being, enlargement of the non-permanent membership.

3. For the time being, there should be an increase only in the non-permanent category or by means of regional rotation modalities, as agreed by consensus by the respective regional groups.

4. States with strength and influence in international relations and the capacity and the will to make a significant contribution to the purposes of the United Nations should participate more frequently in the Council.

III. Total size of the enlarged Security Council

The enlarged Security Council should consist of:

20 members
21 "
22 "
23 "
24 "
25 "
26 "
26 " at least
30 " at least

IV. Increase in permanent membership

Allocation of permanent seats having regard to regions

Allocation among regions

1. Each developing region to be allocated two (regional) seats. Regional mechanism to determine allocation of seats within region.

2. As regards permanent regional representation, it is not precluded that a region may determine its own selection, prior to election by the General Assembly.

3. Five additional permanent seats, designated by two-thirds majority vote in General Assembly, preferably on a regional basis, taking account of equitable geographical distribution and capacity to contribute to peacekeeping operations.

4. Five additional permanent seats:

(a) One to developing States of Africa;

(b) One to developing States of Asia;

(c) One to developing States of Latin America and Caribbean;

(d) Two to industrialized States.

Germany and Japan proposed as two industrialized States.

Allocation to one particular region or to one group of States or to particular countries

1. Two permanent seats for Africa, allotted by decision of Group of African States in accordance with rotation system of OAU.

2. Two permanent seats for Asia, allocated by decision of Asian Group in accordance with system of rotation to be established by a working group formed for the purpose.

3. One permanent seat for the European Union.

4. A permanent seat for the Group of Arab States, the seat to rotate among Arab States in accordance with the practice of League of Arab States.

Allocation of permanent seats having regard to financial contributions

1. One additional permanent seat to five regional groups (except Western European and others), present five permanent members unchanged. Two additional financial permanent members.

2. Each of five regional groups would have two permanent seats, with present five permanent members (except United States) to be included in their regional groups. Three additional financial permanent members (including United States).

3. Five additional permanent seats:

(a) One to each regional group in United Nations (except Western European and others);

(b) Two additional financial permanent members.

V. Increase in non-permanent membership

A. Allocation of non-permanent seats having regard to regions

Allocation of non-permanent seats among regions

1. Every regional group should be allocated at least one additional non-permanent seat.

2. There should be four additional non-permanent seats, as follows:

   (a) One for Africa;

   (b) One for Asia;

   (c) One for Latin America and the Caribbean;

   (d) One for Eastern Europe;

3. There should be eight additional non-permanent seats, as follows:

   (a) Two seats for Africa;

   (b) Two seats for Asia;

   (c) Two seats for Latin America and the Caribbean;

   (d) One seat for Western Europe and others;

   (e) One seat for Eastern Europe.

Allocation of non-permanent seats to one particular region or to one group of States

1. There should be five non-permanent seats for Africa.

2. There should be one additional seat for Eastern Europe.

3. There should be two non-permanent seats for the Arab group of States.

B. Some States to participate more frequently as non-permanent members

1. There should be five additional (long terms, 6 to 12 years) non-permanent seats to be chosen by the General Assembly, with retiring members eligible for re-election. The other 10 non-permanent seats would continue as at present.

2. If there are eight new non-permanent seats (additional to the present 10 non-permanent seats), each seat could "rotate" among three or four States, enabling (24 to 32) countries that make substantial contribution to peacekeeping activities and United Nations financing and represent the majority of the world's population to assume greater responsibility in implementing the Charter.

3. There should be 10 additional non-permanent seats, to be allocated between 30 States selected by the General Assembly: three States for each seat, and each of the three States to serve a two-year term.

Annex XIII

Principal elements of the proposals listed in annex XI of the report of the Working Group (A/54/47) concerning (a) Decision-making in the Security Council, including the veto (sect. I), and (b) expansion of the Security Council (sect. II)

Conference room paper submitted by the Bureau of the Working Group*

I. Introduction

1. Section II, below, seeks to identify principal elements of the proposals contained in Section I "Decision-making in the Security Council including the veto" of Annex XI of last year's Working Group Report (A/54/47). Please see also documents CRP.2 and CRP.2/Add.1 respectively of 6 and 15 March 2001.

2. Section III, below, seeks to identify principal elements of the proposals set out in Section II "Expansion of the Security Council" of Annex XI of last year's Working Group Report (A/54/47). Please see also document CRP.5/Rev.1 of 3 May 2001.

3. The order in which principal elements of proposals are listed in the present document CRP.5/Rev.2 does not signify any order of priority, preference or importance.

II. Principal elements of proposals made with reference to "Decision-making in the Security Council including the veto"

A. The veto as a voting instrument in the Council

1. Proposals not necessarily requiring Charter amendment

(a) Proposals to leave the veto in its present form

The veto in its present form should be maintained.

(b) Proposals to preclude use of the veto or to curtail use of the veto

(1) Permanent members of the Council should exercise restraint in resorting to the veto.

(2) Every endeavour should be made to arrive at consensus decisions in the Council so that the veto need not be used.

(3) A veto should only be exercised when the question is of vital importance to the

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* Previously issued as document A/AC.247/2001/CRP.5/Rev.2.

United Nations as a whole.

(4) If a veto is used, a written explanation of the reason for the veto should be given and also provided to the General Assembly.

(5) Permanent members should commit themselves not to use the veto except for matters under Chapter VII of the Charter.

(6) The General Assembly should urge permanent members not to use the veto except for matters under Chapter VII of the Charter.

(7) What constitutes "procedural" matters, in terms of Article 27, paragraph 2, of the Charter, should be established by an updating of the annex to General Assembly resolution 267 (iii) *and* should be applied by the Council.

(8) Permanent members of the Council should make unilateral or collective commitments not to use the veto.

2. Proposals requiring Charter amendment

(a) Proposals to eliminate the veto

The veto should be eliminated.

(b) Proposals to curtail the veto

(1) Article 27 of the Charter should define more clearly where a veto is permissible.

(2) The veto should be initially curtailed with a view to eventual elimination.

(3) Limitation of the veto to actions under Chapter VII of the Charter — relevant articles of the Charter to be appropriately amended.

(4) More than one negative vote (of permanent members) to be required for exercise of a veto.

(5) Exercise of a veto to be subject to General Assembly action.

B. Number of affirmative votes required for decisions in an enlarged Council

(1) The number of affirmative votes required for decisions in the Council should remain, as at present, around 60 per cent.

(2) If 60 per cent of affirmative votes is required for decision, then the number of votes required in an enlarged Security Council would be as follows:

in a Council of 20, it would be 12;

in a Council of 21, it would be 13;

in a Council of 24, it would be 14;

in a Council of 25, it would be 15; and

in a Council of 26, it would be 16.

III. Principal elements of proposals made with reference to "Expansion of the Security Council"

A. Proposals of a general nature

1. Proposals for enlargement of Council in permanent and non-permanent membership

(1) Enlargement of the Council should enable inclusion of both new permanent members and new non-permanent members from developed/industrialized and developing countries.

(2) The concepts "industrialised countries", "developed countries" and "developing countries" should be clearly defined.

(3) Enlargement in permanent and non-permanent membership should be considered together.

(4) The current ratio of permanent and non-permanent seats should not be altered to the detriment of the non-permanent seats.

2. Proposals for enlargement of Council in non-permanent membership only, for the time being

If there is no agreement on enlargement of other categories of membership, there should only be, for the time being, enlargement of the non-permanent membership.

3. Proposals for enlargement of Council in non-permanent membership only

(1) There should be enlargement only in non-permanent membership.

(2) An enlarged Council should only include non-permanent members based on the principle of sovereign equality of States, and equitable geographical distribution.

B. Proposals of specific numbers for enlargement of Council

1. Specific numbers proposed:

The enlarged Council should consist of

20 members
21 " "
22 " "
23 " "
24 " "
25 " "
26 " "
30 " "

2. Range of numbers proposed :

The enlarged Council should be :

from 15 to 24

from 24 to 26

no greater than 25

at least 26

C. Increase in permanent membership of Council

1. Proposals for permanent seats for: a particular region, a particular group of States or particular countries

(1) Africa should be allocated no less than two permanent seats according to decisions of the group of African States.

(2) A permanent seat should be allocated for the group of Arab States, the seat to rotate among Arab States in accordance with the practice of the League of Arab States.

(3) Two permanent seats should be allocated to Asia for decision of the Asian group in accordance with the system of rotation to be established by Working Group formed for the purpose.

(4) One permanent seat should be allocated for the European Union.

(5) There should be two new permanent seats created for Germany and Japan as industrialised States.

2. Proposals for enlargement of permanent membership of the Council

(1) Five additional permanent seats: designated by two-thirds majority vote in General Assembly — preferably on regional basis taking account of equitable geographical distribution and capacity to contribute to peacekeeping operations.

(2) Five additional permanent seats:

- One to developing States of Africa;
- One to developing States of Asia;
- One to developing States of Latin America and Caribbean;
- Two to industrialised States.

(3) Each developing region to be allocated two (regional) seats. Regional mechanism to determine allocation of seats within region.

As regards permanent regional representation, it is not precluded that a region may determine its own selection, prior to election by the General Assembly.

(4) One additional permanent seat to five regional groups (except Western European and others) — present five permanent members unchanged. Two additional financial permanent members.

(5) Each of five regional groups would have two permanent seats — present five permanent members (except United States) to be included in their regional

groups. Three additional financial permanent members (including United States).

(6) Five additional permanent seats:

- One to each regional group in UN (except Western European and Others);
- Two additional financial permanent members.

D. Extension of the veto to new permanent members

1. Question whether veto should be extended

(1) New permanent members should have the same prerogative and powers of current permanent members.

(2) The veto should not be extended to new permanent members.

(3) New permanent members should:

(a) indicate willingness to be permanent members without the veto.

(b) agree not to exercise the veto until a periodic review of the enlarged Security Council has taken place.

2. When should question of extension of the veto to new permanent members be considered

(1) Extension of the veto to new permanent members should be considered at the end of agreement on the reform package.

(2) Extension of the veto to new permanent members should be considered only in the context of curtailment of veto use by the current permanent members.

(3) A decision on the extension of the veto to new permanent members should be taken once they have been elected.

(4) A high-level Working Group should consider the question of the extension of veto to new permanent members.

During the interim period, new permanent members will not individually exercise the veto and the concurring vote of a specified number (e.g. four out of five) will be required for Security Council decision on matters, not procedural under Chapter VII of the Charter.

E. Increase in non-permanent membership

1. Reference in proposals to general criteria for enlargement of non-permanent membership

(1) Increase in non-permanent membership should take into account candidates from developing countries and industrialised States.

(2) When additional non-permanent seats are distributed no national or regional group should be discriminated against.

(3) Every regional group should be allocated at least to one additional non-permanent seat in the enlarged Council.

(4) A reasonable balance between the number of permanent and non-permanent seats should be maintained and would enhance the representativity and equitable geographical distribution of the Council.

(5) Retiring non-permanent members of the Council should be eligible for immediate re-election.

2. Allocation of non-permanent seats among regions

(1) Every regional group should be allocated at least one additional non-permanent seat.

(2) There should be increase in both permanent and non-permanent categories. There should be four additional non-permanent seats as follows:

one for Africa;

one for Asia;

one for Latin America and the Caribbean;

one for Eastern Europe.

(3) Four new non-permanent members should be elected as follows:

one for Africa;

one for Asia;

one for Eastern Europe;

one for Latin America and the Caribbean.

3. Allocation of non-permanent seats to one particular region or to one group of States

- There should be five non-permanent seats for Africa.
- There should be one additional seat for Eastern Europe.
- There should be two non-permanent seats for the Arab group of States.

4. Some States to participate more frequently as non-permanent members

(1) There should be five additional (long term 6 to 12 years) non-permanent seats to be chosen by the General Assembly, with retiring members eligible for re-election.

The other ten non-permanent seats would continue as at present.

(2) If two additional seats for permanent members are created, the number of non-permanent members should be increased by eight as follows:

two seats for Africa;

two seats for Asia;

two seats for Latin America and the Caribbean;

one seat for Western Europe and Others;

one seat for Eastern Europe.

If there are eight new non-permanent seats (additional to the present ten non-permanent seats), each seat could "rotate" among 3 or 4 States enabling — (24 to 32) countries that make a substantial contribution to peacekeeping activities and UN financing and represent the majority of the world's population — to assume greater responsibility in implementing the Charter.

(3) Ten new non-permanent seats should be added. For each of these seats, three States would be rotating, making a total of 30 States. Consequently, each of them would remain two years on, and four consecutive years off, the Council. These 30 States, which therefore would rotate more frequently and regularly than others, should be selected on the basis of objective criteria to be determined by the General Assembly.

(4) The number of non-permanent members should be increased from 10 to 15. The additional five non-permanent members could have a long term (between 6 and 12 years, for example) and be chosen by the General Assembly by a simple majority. Retiring members would be eligible for immediate re-election. The other 10 non-permanent members would continue to be elected by the General Assembly for a period of two years. They would not be eligible for immediate re-election at the end of their terms.

(5) States with strength and influence in international relations and the capacity and the will to make a significant contribution to the purposes of the UN should participate more frequently in the Council.

Annex XIV

Principal elements of the proposals listed in annex XI to the report of the Working Group (A/54/47) concerning the periodic review of an enlarged Security Council (sect. III)

Conference room paper submitted by the Bureau of the Working Group*

Principal elements of proposals made with reference to the periodic review of an enlarged Security Council

A. Scope and necessity for periodic review

1. A periodic review of the structure and functioning of the Security Council is necessary.
2. A review of the Security Council is unnecessary.
3. If there are no additional permanent members, a review would not be necessary.
4. Issues within the mandate of the Open-ended Working Group should be subject to periodical review every 10 to 15 years.
5. The review process should take into account all aspects of reform: status of new permanent members, question of the veto, accountability and representation of regions in the Security Council.
6. The review should not cover the original five permanent members.

B. Timing of review

1. A review should take place every 10 to 15 years.
2. The first review should take place every 10 to 20 years after the current reform exercise, and thereafter every 10 to 12 or 15 to 20 years.
3. The review should be automatically included in the agenda of the General Assembly and concluded within two years.

C. Decision-making in the course of a review

1. The review should not be subject to the veto.
2. The continuance of new permanent members would be dependent on the support of a two-thirds majority of the United Nations membership.
3. New permanent members should continue unless otherwise decided by a two-thirds majority of the United Nations membership.

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* Previously issued as document A/AC.247/2001/CRP.5/Rev.2/Add.1.

Annex XV

Working methods of the Security Council and transparency of its work

Conference room paper submitted by the Bureau of the Working Group*

I. Introduction

Referring to A/AC.247/2001/CRP.2, the Bureau is submitting this conference room paper to facilitate discussion in the Working Group on issues under Cluster II.

This conference room paper is based upon a conference room paper previously prepared by the Bureau on the working methods of the Security Council and transparency of its work which appeared as annex XII in the report of the Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council and Other Matters related to the Security Council (A/54/47). This document replicates paragraphs and subparagraphs of Annex XII that were provisionally agreed upon in the Working Group. These are indicated by bold typeface. This document also replicates paragraphs of annex XII for where there is not yet provisional agreement, and also lists amendments and suggestions presented in the discussion in the Working Group, as recorded by the Bureau in annex XII; there were also proposals to delete some of these paragraphs.

Furthermore, the Bureau has decided to add, under respective headings of this conference room paper (within boxes), relevant excerpts of Security Council and General Assembly resolutions as well as notes and statements of the President of the Security Council, of which it is aware. The Bureau hopes that the inclusion of these excerpts may inform delegations of relevant past practice in this area and facilitate constructive discussion within the Working Group.

II. Relationship between the Security Council, the General Assembly and the general membership of the United Nations

A. Meetings of the Security Council and informal consultations of the whole**

1. Suggested improvements to the present practice:

(a) The Security Council should, as a general rule, meet in a public format open to all Member States of the United Nations;

(b) Exceptionally, the Security Council may decide to meet in private;

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* Previously issued as document A/AC.247/2001/CRP.3.

** This title to be reviewed when we reach the stage of institutionalization.

(c) When special circumstances so require, the members of the Security Council may meet for informal consultations of the whole;

Suggested amendments to subparagraph (c)

(1) Revise the subparagraph to read: "When the members of the Security Council agree that special circumstances so require, they may meet for informal consultations of the whole".

(2) Revise the subparagraph to read: "When the Security Council agrees that special circumstances so require, [its members]/[it] may meet for informal consultations of the whole".

(3) Revise the subparagraph to read: "When members of the Security Council determine that circumstances so require, they may meet for informal consultations of the whole".

(4) Delete the word "special".

(5) Revise the subparagraph to read: "Members of the Security Council may meet for informal consultations of the whole for the exclusive purpose of drafting its decisions or hearing briefings on exceptionally delicate situations".

(6) Delete the entire subparagraph.

(d) The Security Council should, in a timely fashion and whenever appropriate, hold substantive orientation debates open to all Member States on matters under its consideration;

(e) The Security Council should, whenever appropriate, meet at the ministerial level;

(f) When the Secretary-General, his/her special representatives and/or special envoys, and the heads or representatives of United Nations bodies, agencies or field missions report to the Security Council, they should do so, as a general rule, in a public format.

(g) Exceptionally, the Secretary-General, his/her special representatives and/or special envoys, and the heads or representatives of the United Nations bodies, agencies or field missions may report to the Security Council in private.

Suggested amendment to subparagraph (g)

Delete the word "Exceptionally".

2. Institutionalization

Incorporate provisions to this effect into the rules of procedure of the Security Council or, as appropriate, statements by the President of the Council.

__Presidential notes and statements that may be of relevance__

__Statement by the President of the Security Council of 16 December 1994 (S/PRST/1994/81)__

"The Security Council has heard the views of members of the Council and many other United Nations Member States on the item under discussion. These have revealed widespread support for greater recourse to open meetings of the Council and a clear will on the part of the members of the Council to respond to this. It is therefore the intention of the Council as part of its efforts to improve the flow of information and the exchange of ideas between members of the Council and other United Nations Member States, that there should be an increased recourse to open meetings, in particular at an early stage in its consideration of a subject. The Council will decide on a case-by-case basis when to schedule public meetings of this sort. The Security Council's working group on documentation and procedure will examine further this question in the light of the views expressed and submit a report without delay."

__Note by the President of 30 December 1999 (S/1999/1291)__

"The members of the Council have agreed that henceforth, in the absence of agreement to the contrary, the President of the Council should make draft resolutions and draft Presidential statements available to States that are not members of the Council as soon as they are introduced within informal consultations of the whole." (para. 2)

"The members of the Security Council have noted the importance of the practice of the presidency of briefing States that are not members of the Council. They agree that such briefings should be substantive and detailed and should cover such elements presented by the President to the press. They also agree that such briefings should take place shortly after informal consultations of the whole." (para. 3)

"Recognizing that the provisional rules of procedure of the Security Council and their own practice provide them with considerable flexibility in choosing how best to structure their meetings, members of the Council have agreed that meetings of the Council could be structured according to, but not limited to, the following formats:

(a) __Public meetings__:

  (i) To adopt Council action, at which Member States that are not members of the Security Council participate pursuant to the Charter of the United Nations;

  (ii) To hold, inter alia, briefings, thematic debates and orientation debates, at which member States that are not members of the Security Council participate pursuant to the Charter;

(b) __Private meetings__:

  (i) To hold briefings or other debates, which any interested member States may attend;

> *(ii) To allow certain Member States whose interests the Security Council considers are specifically affected by the matter under discussion to attend, such as parties to a conflict;*
>
> *(iii) To permit the transaction of Security Council business which only members of the Security Council attend, e.g., appointment of the Secretary-General."* *(para. 5)*
>
> *Note by the President of 28 February 2000 (S/2000/155)*
>
> *"The members of the Security Council…will upon their request be invited to observe the informal consultations of the Council members for the period of one month immediately preceding their term of membership (that is, with effect from 1 December) for the purpose of acquainting themselves with the activities of the Council."* *(para. 1)*

B. Participation of non-members in meetings of the Security Council and informal consultations of the whole[*]

The active participation of non-members in the substantive discussions of the Security Council is an important step towards making the work of the Council more open, effective, transparent and representative.

3. **Suggested improvements to the present practice:**

(a) The Security Council should more frequently hear the views of non-members of the Council, in public meetings at the beginning of its consideration of a substantive matter;

Suggested amendments to subparagraph (a)

(1) Delete the entire subparagraph.

(2) Insert the words "in particular" after the words "in public meetings".

(3) Insert the word "including" before the words "in public meetings".

(4) Insert the words "in a timely fashion" in place of the words "at the beginning of".

(5) Insert the words "in particular at an early stage of its consideration" in place of the words "at the beginning of its consideration of a substantive matter".

(6) Insert the words "in particular at an early stage in its consideration of a subject" in place of the words "at the beginning of its consideration of a substantive matter".

(7) Merge the subparagraph with subparagraph 1 (d) in section A.

(8) Insert the words "at all stages" in place of the words "at the beginning".

(9) Insert the word "including" before the words "in public meetings", and replace the words "the beginning" with the word "during".

(10) Revise the subparagraph so that it reads: "The Security Council should hear the views of non-members of the Council at all stages, in particular at an early stage of its consideration of a substantive matter."

(b) **When a non-member of the Security Council submits a written request for a meeting with the President of the Council to discuss an urgent matter affecting its interests, the President should acknowledge such a request in writing. Upon receipt of such a request, the President should promptly meet the non-member in question and inform the Council about the démarche;**

(c) **The Security Council should fully implement Articles 31 and 32 of the Charter and rules 37 and 38 as well as all other relevant Provisional Rules of Procedure;**

(d) Non-members of the Security Council whose interests are specially affected and who are willing to participate in a private meeting should state this special interest in a letter to the President of the Security Council. This letter should include a specification and substantiation of the interest referred to; furthermore, it should name the subjects intended to be raised in the meeting. The President should distribute the letter to all members of the Security Council.

Suggested amendment to subparagraph (d)

Delete the entire subparagraph.

(e) Speaking time in private meetings should be limited to a maximum of five minutes and should focus on the subject under consideration.

Suggested amendment to subparagraph (e)

Delete the entire subparagraph.

Suggested amendments to subparagraphs (d) and (e)

(1) Replace the two subparagraphs with the following single subparagraph: "Non-members of the Security Council whose interests are specially affected and who are willing to participate in a private meeting should indicate in writing to the President of the Security Council their desire to do so. The President of the Council should accordingly respond in writing to the requests received from non-members in this regard."

(2) In the suggested amendment (1) above, in the final sentence, insert the words "may if he/she deems it necessary" in place of the words "should accordingly".

(f) The Security Council should, on a timely and regular basis, conduct consultations with countries affected by the decisions of the Council;

Suggested amendment to subparagraph (f)

(1) Insert the words "The President of the Security Council" in place of the words "The Security Council".

(2) Insert the words "when appropriate through its President" after the words "Security Council".

(3) Delete the entire subparagraph.

(g) The members of the Security Council should, as appropriate, invite non-members of the Council to participate in their discussions during informal consultations of the whole on matters directly affecting such members, under similar arrangements as stipulated in Articles 31 and 32 of the Charter;

Suggested amendments to subparagraph (g)

(1) Delete the entire subparagraph.

(2) Delete the words "as appropriate".

(3) Revise the subparagraph to read: "The non-members of the Security Council should be invited to participate in Council discussions during informal consultations of the whole on matters directly affecting them, under similar arrangements as stipulated in Articles 31 and 32 of the Charter".

4. Institutionalization:

Incorporate provisions to this effect into the rules of procedure of the Security Council or, as appropriate, statements by the President of the Council.

Presidential notes and statements that may be of relevance

Note by the President of 17 February 1999 (S/1999/165)

"It is important that all members of the Security Council be allowed to participate fully in the preparation of the resolutions of the Council and statements by the President of the Council. Contributions by members of groups of friends and other similar arrangements, which, inter alia, aim at helping to promote the settlement of a particular crisis are welcome. The drafting of resolutions and statements by the President of the Council should be carried out in a manner that will allow adequate participation of all members of the Council. While the need is recognized for the Council, in many instances, to adopt its decisions expeditiously, sufficient time should be allowed for consultations of all members of the Council and for their own consideration of the drafts, prior to action by the Council on specific items."

C. Programme of work of the Security Council and agenda of its meetings and informal consultations of the whole

5. Suggested improvements to the present practice:

(a) **The Security Council's tentative forecast of its programme of work for the coming month should be made available to all Member States as soon as it is available to members of the Council;**

(b) **The calendar setting out the Security Council's provisional monthly schedule of work, and updated versions thereof, should be made available to all Member States as soon as possible after their consideration by the members of the Council;**

(c) **The Council should consider its monthly programme of work at a public meeting;**

Suggested amendments to subparagraph (c)

(1) Insert the words "the calendar setting out the Security Council's provisional monthly schedule of work" in place of the words "its monthly programme of work".

(2) Insert the words "at public meetings" in place of the words "at a public meeting".

(d) The provisional agenda of the Security Council, with indications as to actions expected of the Council (e.g., decisions on draft resolutions and presidential statements, reports, exchanges of views etc.) and the agenda for informal consultations of the whole, including a list of issues to be discussed under "other matters", whenever they are known in advance, should be included in the *Journal of the United Nations*.

6. Institutionalization:

Incorporate provisions to this effect into the rules of procedure of the Security Council or, as appropriate, statements by the President of the Council.

Presidential notes and statements that may be of relevance

Note by the President of the Security Council of 27 July 1993 (S/26176)

"The tentative forecast of the programme of work of the Security Council for each month should be made available to all Members States, for information. This should be done once the Secretariat has presented the forecast to the President of the Council and it has been transmitted to the members of the Council."

"The forecast should be prepared along the same lines as now, in conformity with the decisions of the Council."

"The forecast should be made available, in all official languages 'for information only/not an official document'" and there should be a footnote reading:

"This tentative forecast of the programme of work of the Security Council has been prepared by the Secretariat for the President of the Council. The forecast covers in particular those matters that may be taken up during the month pursuant to earlier decisions of the Council. The fact that a matter is or is not included in the forecast carries no implication that it will or will not be taken up during the month: the actual programme of work will be determined by developments and the views of members of the Council." (para. 1)

Note by the President of the Security Council of 24 January 1996 (S/1996/55)

"The members of the Security Council will continue to review from time to time the list of matters of which the Security Council is seized." (para. 2)

"The above decision has been taken after extensive consideration and appropriate consultation by the Informal Working Group of the Security Council concerning the Council's documentation and other procedural questions." (para. 3)

"Neither the removal of a matter from the list of matters of which the Security Council is seized nor its retention carries any implication for the substance of the matter. The Council may at any time decide to include any matter in the agenda of a meeting of the Council, whether or not it is included in the list." (para. 4)

Note by the President of the Security Council of 22 August 1996 (S/1996/603)

Simplification of the list of matters of which the Security Council is seized (rule 11 of the provisional rules of procedure of the Security Council)

"The Security Council has decided that, as of 15 September 1996, matters which have not been considered by the Council in the preceding five years will be automatically deleted from the list of matters of which the Council is seized." (para. 2)

"The result will be that in the next summary statement issued by the Secretary-General after 15 September 1996, the matters listed in the annex to the present note will be deleted." A matter will however, be provisionally retained in the list of matters of which the Security Council is seized for a period of one year if a member of the United Nations notifies its objection to its deletion before 15 September 1996. If at the end of one year the matter has still not been considered by the Council, it will automatically be deleted." (para. 3).

"The removal of a matter from the list of matters of which the Security Council is seized has no implication for the substance of the matter and does not affect the exercise by Member States of its right to bring matters to the attention of the Security Council in conformity with Article 35 of the Charter of the United Nations. The Council may at any time decide to include any matter in the agenda of a meeting of the Council, whether or not it is mentioned in the list." (para. 4)

Note by the President of the Security Council of 30 April 1998 (S/1998/354)

"... the members of the Council have agreed that the following reminder should be placed in the Journal each month:

"The monthly tentative forecast has been made available to member States in accordance with the Note by the President of the Security Council dated 27 July 1993 (S/26176), and 30 April 1998 (S/1998/354). In accordance with the aforementioned decisions, copies of the tentative forecast have been placed in the delegations' boxes and may be collected at the delegations' 'pick-up area'." (para. 1)

> *"The members of the Council have recommended that the President make available to all member States the calendar setting out the provisional schedule of work, after completion of the consultations of the whole on the programme of work, in an appropriate form under his responsibility. The following footnote should be included in the calendar:*
>
> *"The schedule is provisional; the actual schedule will be determined by developments. The description of agenda items contained in the provisional schedule may differ from the official formulation." (para. 2)*

D. Briefings by the President of the Security Council to non-members, availability of draft resolutions and summaries of meetings and informal consultations of the whole

7. Suggested improvements to the present practice:

(a) The present practice followed by the Presidency of the Security Council of briefing non-members should be continued. The briefings should take place immediately after Council meetings or informal consultations of the whole. Interpretation should be provided for those briefings. Briefings for non-members should be closed and held no later than briefings for the media. The President of the Council will decide whether written records of such briefings, including the elements of statements made by him/her to the press, should also be distributed. If written records of the briefings are to be provided, they should also be transmitted to the permanent missions to the United Nations through electronic mail;

Suggested amendments to subparagraph (a)

(1) In the second sentence, insert the word "private" between the word "Council" and the word "meetings".

(2) In the fourth sentence, insert the words "in parallel with" in place of the words "no later than".

(3) In the fourth sentence, insert the words "statements to the media" in place of the words "briefings for the media".

(5) In the final sentence, insert the words "made available" in place of the word "transmitted".

(4) In the second sentence, insert the words "be detailed and" after the words "briefings should".

(6) Delete the last two sentences of the subparagraph.

(b) A short factual summary of the Council's informal consultations of the whole, prepared by the Secretariat in consultation with the President, should be circulated to all Member States no later than the day after. The summaries should also be transmitted to permanent missions through electronic mail;

Suggested amendments to subparagraph (b)

(1) Delete the entire subparagraph.

(2) Insert the words "a short summary of major points of discussion" in place of the words "a short factual summary".

(3) Redraft the subparagraph to take into consideration the need for confidentiality.

(c) Draft resolutions and draft presidential statements, as well as other draft documents that are tabled at informal consultations of the whole of the Council for action on its agenda items, should be made available by the President of the Security Council also to non-members of the Council as soon as such documents are tabled; or earlier, if so authorized by the author of the draft;

(d) The President, in briefing non-members of the Council, should provide information about the main elements and any new elements of draft resolutions, presidential statements and other documents under consideration by the Council.

8. Institutionalization:

Incorporate provisions to this effect into the rules of procedure of the Security Council or, as appropriate, statements by the President of the Council.

Presidential notes and statements that may be of relevance

Note of the President of the Security Council of 28 February 1994 (S/1994/230)

"1. Effective 1 March 1994, draft resolutions in blue, that is, in provisional form will be made available for collection by non-members of the Council at the time of consultations of the whole of the Council. Draft resolutions published in blue late at night will be made available for collection by non-members of the Council the following day."

"2. The members of the Council welcome the decision by the Secretariat to circulate in informal consultations all press statements issued by the Secretary-General or by his Spokesman on his behalf in connection with matters of concern to the Council."

Note by the President of the Security Council of 31 March 2000 (S/2000/274)

1. The members of the Security Council refer to the difficulties and disruption caused by the collection of copies of statements from outside the Council Chamber and wish to state that they have agreed to the following arrangements for the distributions of statements:

(a) Texts of statements made in the meetings of the Security Council will, at the request of the delegation making the statement, be distributed by the Secretariat inside the Council Chamber to Council members and

other Member States and permanent observers to the United Nations present at the meeting;

(b) Any delegation requesting the distribution of its statement shall provide at least 200 copies to the Secretariat sufficiently in advance of the statement being made. Where a delegation provides to the Secretariat fewer than 200 copies of its statement, those copies will be placed outside the Council Chamber at the end of the meeting. Delegations are requested not to make statements otherwise available during the meeting.

2. The above arrangement is exhaustive and replaces the practice provided for under the note by the President of the Security Council dated 23 March 1994 (S/1994/329).

E. Meetings with troop-contributing countries and other countries contributing to a peacekeeping operation

9. Suggested improvements to the present practice:

(a) While authorizing force, the Security Council should adhere to the provisions of Articles 43 and 44 of the Charter of the United Nations;

Suggested amendment to subparagraph (a)

(1) Delete the entire subparagraph.

(2) Add this sentence at the end of subparagraph (b) below.

Note: The placement of this subparagraph will be considered later.

(b) Meetings between members of the Security Council and countries which contribute troops and civilian police, both current and prospective, should be held on a regular basis before and during the decision-making process on the establishment, conduct, review and termination of a peacekeeping operation, including the extension and change of mandates, as well as specific operational issues. In case of emergencies, such meetings should be held promptly;

(c) Other countries contributing to a peacekeeping operation should be invited, as appropriate, to these meetings;

(d) Countries directly concerned and/or affected by a peacekeeping operation, including host countries, should also, in specific circumstances and where appropriate, be invited to these meetings;

Suggested amendments to subparagraph (d)

(1) Insert the word "as" in place of the words "in specific circumstances and where".

(2) Delete the words "including host countries".

(e) Meetings with troop-contributing countries and other countries contributing to a peacekeeping operation should be convened and chaired by the President of the Security Council, supported by the Secretariat;

(f) Upon the request of a troop-contributing country, the President of the Council should promptly convene meetings with troop-contributing countries;

Suggested amendments to subparagraph (f)

(1) Insert after the word "country" the words "in case of emergencies".

(2) Combine this subparagraph with subparagraph (b).

(3) Insert the words "to a peacekeeping operation" after the word "country", and also after the word "countries".

(g) The President of the Security Council should make the necessary arrangements to ensure that the meetings with troop-contributing countries and other countries contributing to a peacekeeping operation are held at a time that allows those countries to adequately consider the relevant reports of the Secretary-General. The Secretariat should make these reports available at an appropriate time before such meetings;

(h) Meetings should be announced in the *Journal of the United Nations*;

(i) Immediately following meetings between Security Council members, troop-contributing countries, other contributors and the Secretariat, the President should brief interested non-members of the Security Council on the contents of such meetings. Such briefings should be announced in the *Journal of the United Nations*;

(j) A written summary of meetings with troop-contributing countries, prepared by the Secretariat in consultation with the President of the Security Council, which does not compromise the confidentiality of the work of those meetings, should be made available promptly to all Member States. Written copies of the Secretariat's briefings at those meetings should, whenever possible, be made available to troop-contributing countries upon request;

(k) The President of the Security Council should report to the Council the views expressed by participants at troop-contributors' meetings. The Council should fully take into account these views in its deliberations;

(l) The Secretariat should make available, to all Member States, weekly reports on field operations, which are available to members of the Security Council.

10. Institutionalization:

Incorporate provisions to this effect into the rules of procedure of the Security Council or, as appropriate, statements by the President of the Council.

General Assembly resolutions that may be of relevance

Supplement to an Agenda for Peace of 26 September 1997 (resolution 51/242)

Annex I

Coordination

I. COORDINATION BETWEEN THE UNITED NATIONS AND MEMBER STATES

1. The States that constitute the United Nations membership have a central role to play in the prevention and resolution of conflicts, including through their participation in and support for United Nations efforts to those ends, in accordance with the Charter of the United Nations. The General Assembly underlines the need to strengthen the role of the Assembly in improving coordination, in accordance with its role and responsibilities under the Charter. Governments are responsible for the financing and provision of personnel, equipment and other support to mandated United Nations efforts to maintain international peace and security, whether through preventive diplomacy, peacemaking, peacekeeping or peace-building. Coordination of efforts and sharing of information between the United Nations and Member States is therefore of fundamental importance.

2. Transparency, communication and consultation between the United Nations and Member States is vital in the coordination of decisions and activities under the Charter aimed at maintaining and enhancing international peace and security. Governments should ensure that their policies in relation to the various parts and agencies of the United Nations system are consistent and in accordance with those aims, while the United Nations must ensure that its activities are in conformity with the purposes and principles of the Charter, and that States are kept fully informed, and are supportive, of the United Nations efforts.

3. Suitable arrangements for regular and timely consultations between members of the Security Council, assisted by the Secretariat, and States contributing troops to peacekeeping operations, as well as prospective troop contributors, are essential in enhancing transparency and coordination between the United Nations and Member States. Such consultations provide troop-contributing States with a channel for communication and for ensuring that their views are taken into consideration before decisions are made by the Council. The General Assembly welcomes the establishment of this consultation mechanism, which should remain under review with the aim of improving it further so as to strengthen the support for and the effectiveness of peacekeeping operations. In this connection, the Assembly stresses the importance of respecting the principles agreed upon in the Special Committee on Peacekeeping Operations and endorsed unanimously by the Assembly.

Presidential notes and statements that may be of relevance

Statement by the President of the Security Council of 3 May 1994 (S/PRST/1994/22)

"Communication with Non-Members of the Security Council (including Troop Contributors)

"The Security Council recognizes the implications which its decisions on peace-keeping operations have for the Members of the United Nations and in particular for troop-contributing countries.

"The Security Council welcomes the increased communication between members and non-members of the Council and believes that the practice of monthly consultations between the President of the Security Council and competent groups of Member States on the Council's programme of work (which includes matters relating to peace-keeping operations) should be continued.

"The Security Council is conscious of the need for enhanced consultations and exchange of information with troop-contributing countries regarding peace-keeping operations, including their planning, management and coordination, particularly when significant extensions in an operation's mandate are in prospect. Such consultations can take a variety of forms involving Member States, troop-contributing countries, members of the Security Council and the Secretariat.

"The Security Council believes that when major events occur regarding peace-keeping operations, including decisions to change or extend a mandate, there is a particular need for members of the Council to seek to exchange views with troop contributors, including by way of informal communications between the Council's President or its members and troop contributors. The recent practice of the Secretariat convening meetings of troop contributors, in the presence, as appropriate, of Council members, is welcome and should be developed. The Council also encourages the Secretariat to convene regular meetings for troop contributors and Council members to hear reports from Special Representatives of the Secretary-General or Force Commanders and, as appropriate, to make situation reports on peace-keeping operations available at frequent and regular intervals.

"The Security Council will keep under review arrangements for communication with non-members of the Council.

"Standby Arrangements

"The Security Council attaches great importance to improving the capacity of the United Nations to meet the need for rapid deploying and reinforcement of peacekeeping operations.

"In this context the Security Council welcomes the recommendations in the Secretary-General's report of 14 March 1994 concerning stand-by arrangements and capabilities. The Security Council notes the intention of the Secretary-General to devise standby arrangements or capabilities which Member States could maintain at an agreed state of readiness as a possible contribution to a United Nations

peacekeeping operation and welcomes the commitments undertaken by a number of Member States.

"The Security Council welcomes the request by the Secretary-General to Member States to respond positively to this initiative and encourages Member States to do so in so far as possible.

"The Security Council encourages the Secretary-General to continue his efforts to include civilian personnel, such as police, in the present standby arrangements planning initiative."

Statement by the President of the Security Council of 27 July 1994 (S/PRST/1994/36)

"The Security Council reiterates the importance it attaches to improving the capacity of the United Nations for rapid deployment and reinforcement of peace-keeping operations. The recent history of United Nations peace-keeping operations demonstrates that such an effort is essential.

"In this context, the Security Council is grateful for the efforts undertaken by the Secretary-General in respect of stand-by arrangements and welcomes the responses so far received from Member States. It also welcomes the intention of the Secretary-General to maintain a comprehensive database of the offers made, including the technical details of these offers.

"The Security Council notes that one of the major limiting factors in the timely deployment of troops for United Nations peace-keeping is the lack of readily available equipment. It stresses the importance of urgently addressing the issue of availability of equipment both in the context of stand-by arrangements and more broadly.

"The Security Council notes the Secretary-General's view that the commitments made so far do not yet cover adequately the spectrum of resources required to mount and execute future peace-keeping operations. It also notes that additional commitments are expected from other Member States. In this context, it welcomes the Secretary-General's call to those Member States which are not already doing so to participate in the arrangements."

Statement by the President of the Security Council of 4 November 1994 (S/PRST/1994/62)

"The Security Council has given further consideration to the question of communication between members and non-members of the Council, in particular troop-contributing countries, which was addressed in the statement of the President of the Council of 3 May 1994 (S/PRST/1994/22). The Council remains conscious of the implications that its decisions on peace-keeping operations have for troop-contributing countries. Having regard to the increase in the number and complexity of such operations, it believes that there is a need for further enhancement, in a pragmatic and flexible manner, of the arrangements for consultation and exchange of information with troop-contributing countries.

"To this end, the Security Council has decided in future to follow the procedures set out in this statement:

"(a) Meetings should be held as a matter of course between members of the Council, troop-contributing countries and the Secretariat to facilitate the exchange of information and views in good time before the Council takes decisions on the extension or termination of, or significant changes in, the mandate of a particular peace-keeping operation;

"(b) Such meetings would be chaired jointly by the Presidency of the Council and a representative of the Secretariat nominated by the Secretary-General;

"(c) The monthly tentative forecast of work of the Council made available to Member States will in future include an indication of the expected schedule of such meetings for the month;

"(d) In the context of their review of the tentative forecast, the members of the Council will examine this schedule and communicate any suggested changes or proposals as to the timing of meetings to the Secretariat;

"(e) Ad hoc meetings chaired jointly by the Presidency of the Security Council and a representative of the Secretariat nominated by the Secretary-General may be convened in the event of unforeseen developments in a particular peace-keeping operation which could require action by the Council;

"(f) Such meetings will be in addition to those convened and chaired solely by the Secretariat for troop contributors to meet with special representatives of the Secretary-General or force commanders or to discuss operational matters concerning particular peace-keeping operations, to which members of the Security Council will also be invited;

"(g) An informal paper, including topics to be covered and drawing attention to relevant background documentation, will be circulated by the Secretariat to the participants well in advance of each of the various meetings referred to above;

"(h) The time and venue of each meeting with members of the Council and troop contributors to a peace-keeping operation should, where possible, appear in advance in the Journal *of the United Nations;*

"(i) The President of the Council will, in the course of informal consultations of members of the Council, summarize the views expressed by participants at each meeting with troop contributors.

"The Security Council recalls that the arrangements described herein are not exhaustive. Consultations may take a variety of forms, including informal communication between the Council President or its members and troop-contributing countries and, as appropriate, with other countries especially affected, for example countries from the region concerned.

"The Security Council will keep arrangements for the exchange of information and views with troop contributors under review and stands

ready to consider further measures to enhance arrangements in the light of experience.

"The Security Council will also keep under review arrangements to improve the quality and speed of the flow of information available to support Council decision-making, bearing in mind the conclusions contained in its statement of 3 May 1994 (S/PRST/1994/22)."

Statement by the President of the Security Council of 19 December 1995 (S/PRST/1995/61)

"The Security Council has noted with interest and appreciation the report of the Secretary-General of 10 November 1995 on stand-by arrangements for peace-keeping operations (S/1995/943). It recalls earlier statements by the President of the Security Council on this subject and strongly supports the efforts of the Secretary-General to enhance the capacity of the United Nations for the planning, rapid deployment and reinforcement and logistical support of peace-keeping operations.

"The Security Council encourages Member States not yet doing so to participate in the stand-by arrangements. It invites them, and those States already participating in the arrangements, to provide information in as detailed a manner as possible on those elements which they are ready to make available to the United Nations. It also invites them to identify components, such as logistic support elements and sea/airlift resources, presently underrepresented in the arrangement. In this context the Security Council welcomes the initiative undertaken by the Secretariat for the creation of a stand-by Headquarters component within the Mission Planning Service of the Department of Peace-keeping Operations. The Security Council also joins with the Secretary-General in suggesting the establishment of partnerships between those troop-contributing countries that need equipment for units that may be provided to the United Nations and those Governments ready to provide such equipment and other support."

Statement by the President of the Security Council of 28 March 1996 (S/PRST/1996/13)

At the 3645th meeting of the Security Council, held on 28 March 1996 in connection with the Council's consideration of the item entitled "An agenda for peace: peace-keeping", the President of the Security Council made the following statement on behalf of the Council:

"The Security Council has reviewed the arrangements for consultation and exchange of information with troop-contributing countries, which were established by the statement of its President made on behalf of the Council on 4 November 1994 (S/PRST/1994/62). The Council has given careful consideration to the views expressed on this question in its debate under the item 'An Agenda for Peace: Peace-keeping' in its 3611th meeting on 20 December 1995, as well as to the views expressed in debates in the General Assembly.

"The Security Council has noted the wish expressed in these debates that arrangements for consultation and exchange of information with troop-contributing countries should be improved. The Council shares this wish. It considers it essential for troop contributing countries

to be heard. It notes that many of the concerns expressed would be met if the arrangements set out in the statement of its President of 4 November 1994 were fully implemented. It is also of the view that those arrangements can be strengthened further as set forth below.

"The Security Council will therefore follow in future the procedures here set out:

"(a) Meetings will be held as a matter of course between members of the Council, troop-contributing countries and the Secretariat for the purpose of consultations and the exchange of information and views; the meetings will be chaired by the Presidency of the Council supported by a representative of the Secretariat;

"(b) The meetings will be held as soon as practicable and in good time before the Council takes decisions on the extension or termination of, or significant changes in, the mandate of a particular peace-keeping operation;

"(c) When the Council considers establishing a new peace-keeping operation, meetings will, unless it proves to be impracticable, be held with any prospective troop contributors who have already been approached by the Secretariat and who have indicated that they may be willing to contribute to the operation;

"(d) The President of the Council will, in the course of informal consultations of members of the Council, report the views expressed by participants at each meeting with troop-contributing or prospective troop-contributing countries;

"(e) The existing practice of inviting to these meetings Member States which make special contributions to peace-keeping operations other than troops — that is, contributions to trust funds, logistics and equipment — will continue;

"(f) The monthly tentative forecast of work of the Council made available to Member States will include an indication of the expected schedule of such meetings for the month;

"(g) Ad hoc meetings may be convened in the event of unforeseen developments in a particular peace-keeping operation which could require action by the Council;

"(h) These meetings will be in addition to those convened and chaired by the Secretariat for troop contributors to meet with Special Representatives of the Secretary-General or Force Commanders, or to discuss operational matters concerning particular peace-keeping operations, to which members of the Security Council will also be invited;

"(i) Background information and an agenda will be circulated by the Secretariat to the participants well in advance of each of the various meetings referred to above; members of the Council may also circulate information as appropriate;

"(j) Interpretation services in all the official languages of the Organization will continue to be available; translation of written

documents will continue to be available, if possible in advance of the meetings;

"(k) The time and venue of each meeting should, where possible, appear in advance in the Journal of the United Nations;

"(l) The Council will append to its annual report to the General Assembly information about these meetings.

"The Security Council recalls that the arrangements described above are not exhaustive. They do not preclude consultations in a variety of forms, including informal communication between the Council President or its members and troop-contributing countries and, as appropriate, with other countries especially affected, for example, countries from the region concerned."

Note by the President of the Security Council of 30 October 1998 (S/1998/1016)

1. The members of the Security Council, recalling the statement by the President of the Council of 16 December 1994 (S/PRST/1994/81), in which the need for greater recourse to open meetings of the Council was identified, and intending to continue to enhance the transparency of the methods of work of the Council, have agreed that the Secretary-General is to be encouraged to make statements to the Council, when he deems it appropriate, in public meetings of the Council.

2. Recalling the enhancement of meetings with troop-contributing countries, the members of the Security Council, taking note of the procedures set out in the statement by the President of the Council of 28 March 1996 (S/PRST/1996/13), have also agreed to the following:

(a) With reference to the existing practice of the President of the Council of reporting, in the course of informal consultations of members of the Council, the views expressed by participants in each troop contributors meeting, troop-contributing countries are encouraged to make available to the President, whenever appropriate, copies of their statements during those meetings. Written copies of the Secretariat's briefing at those meetings should, whenever possible, be made available to troop-contributing countries upon request;

(b) With reference to the existing practice of the Secretariat of providing weekly briefing notes to the Council on field operations, the Secretariat is encouraged to make those briefing notes available to troop-contributing countries upon request;

(c) Relevant United Nations bodies and agencies may be invited to troop contributors meetings, when they have a specific contribution to make to the issue under discussion;

(d) With reference to the existing practice of inviting to troop contributors meetings Member States that make special contributions to peacekeeping operations other than troops and civilian police — that is to say, contributions to trust funds, logistics and equipment — other Member States contributing to peacekeeping operations, as appropriate, should also be invited to these meetings;

(e) The President of the Council will inform troop contributors about forthcoming Council deliberations and expected decisions.

3. The Secretariat should establish an appropriate mechanism for alerting non-members of the Security Council about unscheduled or emergency meetings of the Council during nights, weekends or holidays.

4. (a) The annual report of the Security Council to the General Assembly shall include, as an appendix, in addition to the elements identified in the note by the President of the Security Council of 12 June 1997 (S/1997/451), the annual reports of the sanctions committees;

(b) With effect from 1999, the bureau of each sanctions committee shall be appointed by that committee, following consultations between Council members, either at its first meeting if that meeting takes place in January, or in writing at the instance of the Presidency of the Council under a no-objection procedure.

Security Council resolutions that may be of relevance

Resolution 1318 (2000)

Adopted by the Security Council at its 4194th meeting on 7 September 2000

The Security Council,

Decides to adopt the attached declaration on ensuring an effective role for the Security Council in the maintenance of international peace and security, particularly in Africa.

Part III of the Declaration

Strongly encourages the development within the United Nations system and more widely of comprehensive and integrated strategies to address the root causes of conflicts, including their economic and social dimensions;

Affirms its determination to strengthen United Nations peacekeeping operations by:

Adopting clearly defined, credible, achievable and appropriate mandates,

- *Including in those mandates effective measures for the security and safety of United Nations personnel and, wherever feasible, for the protection of the civilian population,*
- *Taking steps to assist the United Nations to obtain trained and properly equipped personnel for peacekeeping operations,*
- *Strengthening consultations with troop-contributing countries when deciding on such operations;*

Agrees to support:

- *the upgrading of United Nations capacity for planning, establishing, deploying and conducting peacekeeping operations,*

– the provision of a more up-to-date and sounder foundation for financing peacekeeping operations;

Underlines the importance of enhancing the United Nations capacity for rapid deployment of peacekeeping operations and urges Member States to provide sufficient and timely resources;

Part VII of the Declaration

Calls for the strengthening of cooperation and communication between the United Nations and regional or sub-regional organizations or arrangements, in accordance with Chapter VIII of the Charter, and in particular in respect of peacekeeping operations;

Emphasizes the importance of continued cooperation and effective coordination between the United Nations and the Organization of African Unity and African sub-regional organizations in addressing conflict in Africa, and of enhanced support for the Organization of African Unity Mechanism for Conflict Prevention, Management and Resolution;

Resolution 1327 (2000)

Adopted by the Security Council at its 4220th meeting, on 13 November 2000

Having considered the recommendations in the report of the Panel on United Nations Peace Operations which fall within its area of responsibility,

1. Agrees to adopt the decisions and recommendations contained in the annex to the resolution;

2. Decides to review periodically the implementation of the provisions contained in the annex;

3. Decides to remain actively seized of the matter.

Annex

The Security Council,

Underlines the importance of an improved system of consultations among the troop-contributing countries, the Secretary-General and the Security Council, in order to foster a common understanding of the situation on the ground, of the mission's mandate and of its implementation;

Agrees, in this regard, to strengthen significantly the existing system of consultations through the holding of private meetings with troop-contributing countries, including at their request, and without prejudice to the provisional rules of procedure of the Security Council, in particular when the Secretary-General has identified potential troop-contributing countries for a new or ongoing peacekeeping operation, during the implementation phase of an operation, when considering a change in, or renewal or completion of a peacekeeping mandate, or when a rapid *deterioration in the situation on the ground threatens the safety and security of United Nations peacekeepers;*

Requests the Secretary-General, following full consultations with the United Nations membership, in particular troop-contributing countries, to prepare a comprehensive operational doctrine for the military component of United Nations peacekeeping operations and submit it to the Security Council and the General Assembly;

Statement by the President of the Security Council of 31 January 2001 (S/PRST/2001/3)

At the 4270th meeting of the Security Council, held on 31 January 2001, in connection with the Council's consideration of the item entitled "Strengthening cooperation with troop-contributing countries", the President of the Security Council made the following statement on behalf of the Council:

> *"The Security Council has given further consideration to the question of strengthening cooperation between the Council, the troop-contributing countries and the Secretariat. In this connection, the Council stresses the importance of full implementation of provisions of resolution 1327 (2000) of 13 November 2000 and in the statements of its President of 28 March 1996 (S/PRST/1996/13) and 3 May 1994 (S/PRST/1994/22). The Council takes note of the views expressed at its debate on the subject 'Strengthening Cooperation with Troop-Contributing Countries' at its 4257th meeting on 16 January 2001. The Council recognizes the scope for further improvement in its relations with troop-contributing countries and the need to work together with a common purpose towards shared goals.*
>
> *"The Security Council recognizes that in view of the increasing complexity of peacekeeping operations, there is a need for a transparent three-way relationship between the Security Council, the Secretariat and the troop-contributing countries that will foster a new spirit of partnership, cooperation and confidence.*
>
> *"Recognizing that the experience and expertise of troop-contributing countries in theatres of operation can greatly assist the planning process, the Security Council reiterates its agreement to hold consultations with troop-contributing countries in a timely manner at different stages of a United Nations peacekeeping operation, in particular when the Secretary-General has identified potential troop-contributing countries for a new or ongoing peacekeeping operation, during the implementation phase of an operation, when considering a change to, or renewal of, or completion of a peacekeeping mandate, or when a rapid deterioration in the situation on the ground threatens the safety and security of United Nations peacekeepers.*
>
> *"The Security Council will seek to ensure that all private meetings as provided for in resolution 1327 (2000) between members of the Council, the troop-contributing countries and the*

Secretariat are substantive, representative, meaningful and provide for a full exchange of views. The Council stresses the importance of full participation by all those involved and encourages troop-contributing countries to take the initiative to call for meaningful exchanges of information. The President of the Council will provide, where appropriate, a detailed report of consultations with the troop-contributing countries to the Council.

"The Security Council stresses the usefulness of full and comprehensive briefings by the Secretariat at private meetings with the troop-contributing countries, including, where appropriate, military factors.

"The Security Council encourages the Secretary-General to continue his efforts to improve coordination and cooperation on peacekeeping issues within the United Nations system and the Secretariat.

"The Security Council encourages the Secretary-General to raise public awareness globally of the positive contribution of peacekeeping operations and the role played by peacekeepers from various troop-contributing countries.

"The Security Council acknowledges that the Secretariat must be able to rely on sufficient human and financial resources to respond to the demands placed on it. It underlines the importance of follow-up to the report of the Panel on Peace Operations (S/2000/809) with a view to strengthening the Department of Peacekeeping Operations and other relevant departments of the Secretariat involved in peacekeeping.

"The Security Council reiterates that the problem of the commitment gap with regard to personnel and equipment for peacekeeping operations requires the assumption by all Member States of the shared responsibility to support United Nations peacekeeping.

"The Security Council acknowledges that the delay in reimbursement causes severe budgetary constraints to troop-contributing countries. It urges all Member States to pay their assessed contributions in full and on time, so that peacekeeping operations can stand on a solid financial basis.

"The Security Council decides to establish a Working Group of the Whole on United Nations peacekeeping operations. The Working Group will not replace the private meetings with the troop-contributing countries. The Working Group will address both generic peacekeeping issues relevant to the responsibilities of the Council, and technical aspects of individual peacekeeping operations, without prejudice to the competence of the Special Committee on Peacekeeping Operations. Where appropriate, the Working Group will seek the views of the troop-contributing countries, including through meetings between the Working Group and the troop contributing countries, with a view to their views being taken into account by the Council.

As a first step, the Working Group is tasked to undertake an in-depth consideration of, inter alia, all the proposals made in the course of the Council's public meeting on 16 January 2001, including ways to improve the three-way relationship between the Council, the troop-contributing countries and the Secretariat and to report to the Council by 30 April 2001. An indicative list of all the ideas and proposals arising from the meeting on 16 January 2001 will be forwarded to the Working Group for its consideration."

Recent presidential statements that may be of relevance

Statement by the President of the Security Council of 20 February 2001 (S/PRST/2001/5)

"The Security Council recognizes that troop-contributing countries may be involved in peace-building activities and that, within the existing system of consultations with these countries, relevant peace-building activities should be discussed."

F. Reports of the Security Council to the General Assembly

11. Suggested improvements to the present practice:

(a) The annual report of the Security Council to the General Assembly, submitted pursuant to Article 24 (3) of the Charter, should give a detailed and comprehensive account of the Council's work and should be made available to the General Assembly no later than 30 August;

Suggested amendments to subparagraph (a)

(1) Insert the word "factual" in place of the words "detailed and comprehensive".

(2) Insert the word "factual" between the word "comprehensive" and the word "account".

(3) Insert the word ", objective" between the word "detailed" and the words "and comprehensive".

(4) Insert the words "substantive, analytical and material" in place of the words "detailed and comprehensive".

(5) Insert the words "substantive and analytical" in place of the words "detailed and comprehensive".

(6) Insert the words "if possible" after the words "made available to the General Assembly".

(7) Insert the words "before the beginning of the general debate" in place of the words "no later than 30 August".

(b) Upon the completion of his/her Presidency, each President of the Security Council should provide a substantive and analytical assessment of the work of the Council, including, as appropriate, informal consultations of the whole, held during his/her Presidency. These assessments, prepared under the exclusive responsibility of the President following consultations with Council members, should be balanced, comprehensive and objective and distributed as official documents to all Member States immediately after their issuance by the outgoing President. They should also be appended to the annual report of the Council to the General Assembly;

Suggested amendments to subparagraph (b)

(1) In the first sentence, delete the words "including, as appropriate, informal consultations of the whole, held".

(2) Delete in the second sentence the words "balanced, comprehensive and objective and".

(3) The existing practice (set out in document S/1997/451) should be retained.

(4) Insert the following sentence immediately before the last sentence of the subparagraph: "Such assessments should include statements that the President of the Security Council makes to the press on behalf of the members of the Council."

(5) Add in the beginning of the subparagraph the words "As is the present practice".

(c) The annual report of the Security Council should also include information on the informal consultations of the whole;

Suggested amendments to subparagraph (c)

(1) Add the following words at the end of the sentence: "and statements that the President of the Security Council makes to the press on behalf of the members of the Council".

(2) Add the following words at the end of the sentence: "and statements that the President of the Security Council makes to the press with the prior authorization of the Security Council".

(d) The Security Council should include in its annual report information on requests received under Article 50 of the Charter and actions taken by the Council thereon;

(e) The annual report should enable Member States to assess the extent to which General Assembly and Security Council resolutions have been taken into account by the Council in its decision-making process on issues falling within the scope of the General Assembly and of the Security Council;

Suggested amendments to subparagraph (e)

(1) Replace the subparagraph with the following sentence: "The annual report should enable Member States to assess the extent to which relevant General Assembly resolutions have been taken into account by the Council in its decisions."

(2) Delete the entire subparagraph.

(f) The Security Council should, in preparing its annual report to the General Assembly, fully take into account Assembly resolution 51/193 of 17 December 1996. In particular, it should:

(i) Include, as appropriate, information on consultations of the whole undertaken prior to action or deliberation by the Council on issues within its mandate and on the process leading to such action;

(ii) Include decisions, recommendations or other substantive work of the subsidiary organs of the Council, in particular the sanctions committees, in the appendices to the annual report;

Suggested amendments to subparagraph (f)

(1) Delete the entire subparagraph.

(2) Delete subparagraph (f) (i).

(3) Insert a new subparagraph (f) (ii) *bis* to read: "Strengthen further the section in the report on the steps taken by the Council to improve its working methods".

(4) Delete in subparagraph (f) (i) the words "as appropriate".

(g) The Security Council should, when necessary, submit special reports to the General Assembly in accordance with Article 24 (3) of the Charter, for the consideration of the Assembly in accordance with Article 15 (1) of the Charter;

(h) The Security Council is invited, through an appropriate procedure or mechanism, to update the General Assembly on a regular basis on the steps it has taken or is contemplating taking with respect to improving its reporting to the Assembly.

12. Institutionalization:

Incorporate provisions to this effect into the rules of procedure of the Security Council or, as appropriate, statements by the President of the Council.

Presidential notes and statements that may be of relevance

Note by the President of the Security Council of 30 June 1993 (S/26015)

1. The President of the Security Council wishes to refer to the issue of the format of the annual report of the Security Council to the General Assembly, which the Council has to submit under Article 24 (3) of the Charter of the United Nations and to certain other matters.

2. The President of the Council wishes to state in this regard that all members of the Council have indicated their agreement with the following proposals:

1. The Security Council should take all the necessary measures to ensure the timely submission of its report to the General Assembly. For that purpose:

(a) The Security Council should retain the existing practice whereby the annual report is submitted to the General Assembly in a single volume covering the period from 16 June of one year to 15 June of the next year;

(b) The Secretariat should submit the draft report to the members of the Security Council no later than 30 September immediately following the period covered by the report, so that the report may be adopted by the Council in time for consideration by the Assembly during the main part of its regular session.

2. Presidential statements should be published, effective 1 January 1994, in an annual series using the prefix "S/PRST/__" followed by the year and the number of the statement. A new appendix should be included in the annual report of the Security Council to the General Assembly, starting with the report covering the period from 16 June 1992 to 15 June 1993, providing a chronological listing of presidential statements for the period under review and indicating the date when the statement was made or issued and the relevant agenda item or subject-matter. At the time of approval of presidential statements, the Council members should indicate the agenda item and, where none exists, an agreed formulation of the subject-matter under which the statement is being authorized. That should be reflected in the Council document circulating the presidential statement.

3. The appendices in the annual report of the Security Council listing the resolutions and presidential statements should provide cross-references to the relevant chapter, section and subsection of the report, for each resolution and presidential statement.

4. The draft annual report of the Security Council to the General Assembly should no longer be issued as a confidential document; it should be a document with a "limited distribution" designation, as is the common practice in other bodies of the United Nations.

5. Henceforth, the draft report should be adopted at a public meeting of the Security Council. At that meeting, the document containing the draft report should be made available to interested delegations.

6. Whenever inclusion of a reference to unpublished documentation in a draft resolution or a draft presidential statement is envisaged, the Secretariat should bring the matter to the attention of the President of the Council so that the President, in turn, could raise the matter with the members of the Council in order to determine whether or not to retain the reference in the draft text and, where the members of the Security Council decide that it is to be retained, whether that document should be published as an official document of the Security Council.

7. The provisional agenda for formal meetings of the Council should be included in the Journal *provided that it has been approved in informal consultations.*

8. The Group discussed various possible options to establish new ways to provide information to States that are not members of the Council. It was agreed that the Council should keep this question under due consideration so as to enhance its practice in this respect.

Note by the President of the Security Council of 12 June 1997 (S/1997/451)

3. The Security Council will take the necessary action to ensure the timely submission of its report to the General Assembly. For that purpose:

(a) The Council should retain the existing practice whereby the annual report is submitted to the General Assembly in a single volume covering the period from 16 June of one year to 15 June of the next year;

(b) The Secretariat should submit the draft report to the members of the Council no later than 30 August immediately following the period covered by the report, so that the report may be adopted by the Council in time for consideration by the General Assembly during the main part of its regular session and where possible before the beginning of the general debate of the Assembly.

4. The report of the Security Council will include the following sections:

(a) In relation to each subject dealt with by the Council:

  (i) As background, a descriptive list of the decisions, resolutions and presidential statements of the Council for the one-year period preceding the period covered by the report;

  (ii) For the period covered by the report, a description in chronological order of the consideration by the Council of the matter in question and of actions taken by the Council on that item, including descriptions of the decisions, resolutions and presidential statements, and a list of communications received by the Council and reports of the Secretary-General;

  (iii) Factual data, including dates of formal meetings and informal consultations at which a subject was discussed;

(b) Information regarding the work of the subsidiary organs of the Council, including the sanctions committees;

(c) Information regarding the documentation and working methods and procedures of the Council;

(d) Matters brought to the attention of the Council but not discussed by it during the period covered;

(e) Appendices as in the present report, but also:

(i) The full text of all resolutions, decisions and presidential statements adopted or voted upon by the Council during the year in question;

(ii) Information about meetings with troop-contributing countries.

5. There will also be attached, as an addendum to the report, brief assessments on the work of the Security Council, which representatives who have completed their functions as President of the Security Council may wish to prepare, under their own responsibility and following consultations with members of the Council for the month during which they presided and which should not be considered as representing the views of the Council.

The following disclaimer will appear at the beginning of the addendum containing the above-mentioned assessments:

The attachment of the assessments of former Presidents on the work of the Security Council as an addendum to the report is intended to have an informative purpose and should not necessarily be considered as representing the views of the Security Council.

G. "Arria formula"

13. Suggested improvements to the present practice:

On the initiative of one of its members and in keeping with rule 39 of its provisional rules of procedure, the Security Council could resort, as appropriate, to the Arria formula to hear views and obtain or exchange information with personalities, organizations, institutions, or whomever it considers pertinent, involved in a conflict. At no time will the Security Council receive representatives of Governments of United Nations Member States under this mechanism. The level of representation of the Security Council members should be commensurate with that of those invited.

Suggested amendments:

(1) In the first sentence, delete the words "and in keeping with rule 39 of its provisional rules of procedure".

(2) In the first sentence, insert the words "members of the" before the words "Security Council".

(3) In the first sentence, insert the words "based on the agreement of its members" after the words "Security Council".

(4) In the first sentence, insert the words "in an informal way" after the words "exchange information".

(5) In the first sentence, delete the word "personalities".

(6) In the first sentence, insert the words "any persons whom" in place of the words "personalities, organizations, institutions or whomever".

(7) In the first sentence, insert the words "in accordance with Article 65 of the Charter and as provided for by the Economic and Social Council" after the words "personalities, organizations, institutions".

(8) In the first sentence, insert the words "whose contributions" before the words "it considers pertinent".

(9) At the end of the first sentence, delete the words "involved in a conflict".

(10) At the end of the first sentence, insert the words "to reach a better understanding of the situation under consideration" in place of the words "involved in a conflict".

(11) At the end of the first sentence, insert the words "because of their responsibilities or personal or institutional influence, contribute to a better understanding of the situation under consideration" in place of the words "involved in a conflict".

(12) At the end of the first sentence, insert the words "issues before the Council" in place of the words "involved in a conflict".

(13) Replace the first sentence with the following two sentences: "The Security Council should fully implement rule 39 of its provisional rules of procedure. Bearing in mind this rule, the Security Council may agree to resort, as appropriate, to the Arria formula as an informal way to hear views and obtain or exchange information with personalities, organizations, institutions, or whomever it considers pertinent, involved in a conflict".

(14) Delete the second sentence.

(15) Delete the third sentence.

(16) Delete the entire section G.

14. Institutionalization:

Incorporate provisions to this effect into the rules of procedure of the Security Council or, as appropriate, statements by the President of the Council.

Identical letters dated 15 March 1999 from the Permanent Representative of Venezuela to the United Nations addressed to the Secretary-General and the President of the Security Council (S/1999/286)

The method known as the Arria Formula is associated with the name of the representative of Venezuela on the Security Council during my country's most recent term as a non-permanent member of the Council. That compels us to make the comments contained in this letter as a contribution to the discussion that is now taking place, both in the Open-ended Working Group on the Question of Equitable Representation On and Increase in the Membership of the Security Council and Other Matters Related to the Security Council, and in the Council itself.

The contemporary conflicts that constitute threats to international peace and security are increasingly displaying their non-traditional nature, as are the actors involved.

During Venezuela's presidency in 1992, the Security Council deemed it appropriate and necessary to obtain direct assessments from individuals, organizations or institutions that could, because of their responsibilities or personal or institutional influence, contribute to a better understanding of the situation under consideration.

Given the non-governmental status of such actors, or the fact that they were not even States Members of the Organization, the Council believed that such contacts should be informal and should take place outside the Council Chamber, thus respecting the rights and duties of the Member State or States involved.

It is worth recalling in this context that, while nothing prevented the Presidency of the Council or its members from establishing informal contacts or exchanges of this nature with the parties to a conflict from the standpoint of their national interests or the interests of groups of countries (the five permanent members, the Group of Non-Aligned Countries, and so on), it was not the practice of the Council as a whole to engage in such exchanges.

Consequently, these informal consultation exercises enabled the Council as a whole to obtain direct information and assessments concerning the dominant perceptions at a given moment on the part of those who directly or indirectly influenced the course of a conflict resolution process. In this way, the principle of collective responsibility of the Council was emphasized and the transparency of informal consultations was enhanced, as was the process of reconciling approaches among its members. Accordingly, these consultations demonstrated their usefulness without undermining the responsibility of the Council or that of the Secretary-General and his special representatives.

The Arria Formula constitutes, in our view, a treasury of Security Council procedures — the product of experience and of a pragmatic vision of its responsibilities.

This informal mechanism should be used, as it has been up to now, at the discretion of the President of the Security Council and with the authorization of its members. Nevertheless, the Arria Formula should be used in accordance with its original concept and should not be invoked in order to receive representatives of countries which are full Members of the United Nations, as that would be contrary to the principle of sovereign equality of States set out in Article 2 of the Charter of the United Nations.

I should be grateful if you would have the text of this letter circulated as a document of the General Assembly, under agenda item 59, and of the Security Council.

H. Meetings of the Security Council in accordance with Articles 35 and 99 of the Charter

15. Suggested improvements to the present practice:

Requests for meetings of the Security Council in accordance with Articles 35 and 99 of the Charter should be immediately circulated as a document of the Council, and the requested meeting should be promptly convened.

16. Institutionalization:

Incorporate provisions to this effect into the rules of procedure of the Security Council or, as appropriate, statements by the President of the Council.

I. Consultations pursuant to Article 50 of the Charter

17. Suggested improvements to the present practice:

(a) The Security Council should take measures providing for more effective implementation of the right contained in Article 50 of the Charter for any State, whether a Member of the United Nations or not, to consult the Council with regard to problems arising from its implementation of preventive or enforcement measures imposed by the Council. Such consultations should be held promptly upon a request submitted by the State concerned.

(b) The Security Council should promptly establish an effective mechanism to provide relief to affected States under Article 50 of the Charter which would become immediately operational upon the receipt of such request.

Suggested amendment to subparagraph (b)

Delete the entire subparagraph.

(c) The Security Council should take fully into account those sections in annex II to General Assembly resolution 51/242 of 15 September 1997, entitled "Question of sanctions imposed by the United Nations", that are relevant to the application of Article 50 of the Charter and relate to the working methods of the Security Council and the transparency of its work.

18. Institutionalization:

Incorporate provisions to this effect into the rules of procedure of the Security Council or, as appropriate, statements by the President of the Council.

J. Mechanism to alert non-members of the Security Council to unscheduled or weekend meetings

19. Suggested improvements to the present practice:

The Secretariat should continue to alert non-members of the Security Council of unscheduled emergency meetings of the Council, including information as to their subject matter and purpose, during nights, weekends and holidays (e.g., a voice recording, a web site, an electronic message and a facsimile transmission to all Member States).

20. Institutionalization:

Incorporate provisions to this effect into the rules of procedure of the Security Council or, as appropriate, statements by the President of the Council.

K. Consultations between the President of the Security Council, the President of the General Assembly and the Secretary-General

21. Suggested improvements to the present practice:

(a) The President of the Security Council, the President of the General Assembly and the Secretary-General should hold regular monthly consultations, to which Members of the Bureau of the General Assembly could be invited, when the need arises. In the event of an international crisis or any other urgent development, such consultations should be held more frequently.

(b) The President of the Security Council is requested to raise with the President of the General Assembly, during their monthly informal meetings and when deemed appropriate, the measures mentioned in section F.11(c) above. The President of the General Assembly should report to the Assembly on the steps taken by the Council in this regard.

Suggested amendment to subparagraph (b)

Delete the entire subparagraph.

(c) The President of the Security Council should brief the Chairmen of the regional groups on the programme of work of the Council at the beginning of the month and should later continue to inform them as appropriate and as need arises.

22. Institutionalization:

Incorporate provisions to this effect into the rules of procedure of the Security Council or, as appropriate, statements by the President of the Council.

L. Consultations with funds, programmes and agencies

23. Suggested improvements to the current practice:

In cases when the Security Council is involved in mandating humanitarian and operational assistance, the President of the Council should consult the principal officers of the organizations concerned.

Suggested amendments:

(1) Revise the subparagraph to read: "The conduct of operational and humanitarian activities must conform to the guiding principles of humanitarian assistance and the principles of United Nations development assistance. In cases when, as a transitory and exceptional measure, the Security Council is involved in overseeing and mandating humanitarian and operational assistance, the President of the Council should consult the principal officers of the organizations concerned before the Council acts. The decisions of the respective executive board and of the General Assembly shall be final in all aspects of such programmes".

(2) Revise the subparagraph to read: "In case when, as a measure of exception, the Security Council mandates an operation of overseeing or protecting the delivery of humanitarian assistance, the Council should conduct proper consultations with the principal officers of the United Nations agencies or funds or programmes concerned prior to the issuance of the mandate or during the renewal of this mandate."

24. Institutionalization:

Incorporate provisions to this effect into the rules of procedure of the Security Council or, as appropriate, statements by the President of the Council.

M. Records and archives

25. Suggested improvements to the present practice:

(a) The Security Council should review its procedures and rules for the creation and maintenance of and access to the records and archives of its private and public meetings and consultations.

Suggested amendments to subparagraph (a)

(1) Delete the words "and consultations".

(2) Insert the words "informal consultations of the whole" in place of the word "consultations".

(3) Insert the words "of the whole" at the end of the sentence.

(b) Procedures for promptly fulfilling requests for these records and archives by the accredited representatives of any member of the Security Council should be established.

Suggested amendments to subparagraph (b)

(1) Insert the word "considering" in place of the word "fulfilling".

(2) Insert the words "access to" before the words "these records".

(3) Insert the word "non-members" in place of the words "any member".

(4) Insert the words "United Nations" in place of the words "Security Council".

(5) Insert a new subparagraph (b) *bis* to read: "Members of the Security Council shall at all times have the right to consult the records of the private meetings of the Council".

(c) In its annual report to the General Assembly, the Security Council should certify that the maintenance of its records and archives meet the established international standards for the management of records and archives.

26. Institutionalization:

Incorporate provisions to this effect into the rules of procedure of the Security Council or, as appropriate, statements by the President of the Council.

III. Subsidiary organs of the Security Council

A. Sanctions committees

27. Suggested improvements to the present practice:

(a) Summary records of the meetings of the sanctions committees, which do not compromise the confidentiality of the work of the committees, should be made available promptly to non-members of the Security Council;

(b) The sanctions committees should ensure that the administrative procedure of processing applications for exemptions from sanctions regimes is as efficient as possible in order to avoid delays in clearing applications and thus to minimize unintended adverse side effects of sanctions;

(c) The countries specially affected by sanctions regimes, including target countries, should be given reasonable access to sanctions committees to explain their situations directly related to the implementation of sanctions.

Suggested amendments to subparagraph (c)

(1) Delete the word "reasonable".

(2) Insert the word "better" in place of the word "reasonable"

(3) Revise the subparagraph to read: "The target or affected countries, as well as concerned organizations, should be better able to exercise the right of explaining or presenting their points of view to the sanctions committees."

(4) In suggested amendment (3) above, delete the word "better".

(d) The Security Council should take fully into account those sections in annex II to General Assembly resolution 51/242 of 15 September 1997, entitled "Questions of sanctions imposed by the United Nations", that are relevant to the procedures and working methods of the sanctions committees;

(e) The agenda of the meetings of the sanctions committees should be announced in the *Journal of the United Nations* in the same way as the agenda of the Security Council;

(f) Chairmen of sanctions committees should, as appropriate, after each meeting continue to give substantive and detailed briefings on their proceedings to non-members of the Council and, as appropriate, distribute documents which were considered in the course of such meetings. Such briefings should continue to be announced in the *Journal of the United Nations*.

(g) Public information on the work of the sanctions committees should be made available on the Internet and through other means of communication.

28. Institutionalization:

Incorporate provisions to this effect into the rules of procedure of the Security Council or, as appropriate, statements by the President of the Council.

Presidential statements that may be of relevance

Note by the President of the Security Council of 29 March 1995 (S/1995/234)

1. ... the President of the Security Council wishes to state that all members of the Security Council have indicated their agreement with the following proposals:

The following improvements should be introduced to make the procedures of the Sanctions Committees more transparent:

- *The practice of issuing press releases after meetings of the Committee should be increased;*
- *The Status of Communications lists under the "No Objection" procedure prepared by the Secretariat should be made available to any delegation which wishes to have a copy;*
- *A list of all other decisions by each active Committee should be prepared by the Secretariat, on a regular basis, and be made available to any delegation which requests it;*
- *The annual report of the Security Council to the General Assembly should contain, in the Introduction, more information about each Committee than it does at present;*

- *An annual report to the Security Council should be prepared by each Committee, providing a concise indication of each Committee's activities;*
- *An effort should be made to expedite the preparation of the summary records of each Committee.*

For the implementation of these measures, the existing procedures of the Committees should be respected.

Meetings of the Sanctions Committees should remain closed, as they are now, and the summary records of those meetings should continue to be distributed according to the existing pattern.

Note by the President of the Security Council of 31 May 1995 (S/1995/438)

1. ... The President of the Security Council wishes to state that all members of the Security Council have indicated their agreement with the following proposal:

> *The practice of hearing comments by States and organizations concerned during closed meetings of the Sanctions Committees on issues arising from implementation of sanctions regimes imposed by the Security Council should be continued while respecting the existing procedures followed by such Committees.*

Note by the President of the Security Council of 24 January 1996 (S/1996/54)

1. Further to the note by the President of the Security Council dated 31 May 1995 (S/1995/438) concerning the Council's documentation and other procedural questions, the President of the Security Council wishes to state that all members of the Security Council have indicated their agreement with the following proposals:

The following improvements should be introduced to make the procedures of the Sanctions Committees more transparent:

The Chairman of each Committee should give an oral briefing to interested Members of the United Nations after each meeting, in the same way as the President of the Security Council now gives oral briefings following informal consultations of Council members;

The Chairman of each Committee should be asked to bring to the attention of its members and of the Members of the United Nations the improvements in procedures of the Committees which were agreed to by the members of the Council on 29 March and 31 May 1995 (see S/1995/234 and S/1995/438).

Note by the President of the Security Council: work of the sanctions committees: 29 January 1999 (S/1999/92)

1. The sanctions committees should establish appropriate arrangements and channels of communication with organs, organizations and bodies of the United Nations system, as well as other intergovernmental and regional organizations, neighbouring countries *and other countries and parties concerned, in order to improve the monitoring of the implementation of sanctions regimes and the assessment of their humanitarian consequences on the population of the target State and their economic consequences on neighbouring and other States.*

8. The practice of hearing technical presentations of information by organizations assisting in the enforcement of Security Council sanctions during closed meetings of the sanctions committees should be continued. The target or affected countries, as well as concerned organizations, should be better able to exercise the right of explaining or presenting their points of view to the sanctions committees, while taking fully into consideration current committee practices. The presentations should be expert and comprehensive.

13. In discharging their mandates, the sanctions committees should as much as possible seek to utilize the expertise and practical assistance of Member States, United Nations agencies, regional organizations and all humanitarian and other relevant organizations.

Note by the President of the Security Council of 17 April 2000 (S/2000/319)

1. The members of the Security Council recall the note by the President of 29 January 1999 (S/1999/92) which contained a number of practical proposals to improve the work of the sanctions committee in accordance with the resolutions concerned.

2. The members of the Security Council note the work of the General Assembly and also note that there exists considerable recent scholarship on the subject of United Nations sanctions that merits consideration by the members of the Council. In particular, they note recent efforts by Canada, Germany, Switzerland, the United Kingdom of Great Britain and Northern Ireland and others to sponsor specific reports and studies on aspects of United Nations sanctions.

3. Taking account of the note by the President of 29 January 1999 and other relevant proposals and recommendations, including those referred to in paragraph 2 above, the members of the Security Council have decided to establish on a temporary basis an informal working group of the Council to develop general recommendations on how to improve the effectiveness of United Nations sanctions. The working group should benefit from all available sanctions expertise, including by being briefed, on a case-by-case basis, by appropriate experts. The working group should report its findings to the Council by 30 November 2000.

4. The informal working group should examine, inter alia, the following issues in all aspects with a view to improving the effectiveness of sanctions:

- *a. working methods of sanctions committees and inter-committee coordination;*
- *b. capacity of the United Nations Secretariat;*

c. coordination within the United Nations system and cooperation with regional and other international organizations;

d. design of sanctions resolutions including the conditions for the maintaining/lifting of sanctions;

e. pre- and post-assessment reports and the ongoing evaluation of sanctions regimes;

f. monitoring and enforcement of sanctions;

g. unintended impacts of sanctions;

h. humanitarian exemptions;

i targeted sanctions;

j. assisting member States in implementing sanctions;

k. implementation of the recommendations of the above-mentioned note by the President.

B. Other subsidiary organs

29. Suggested improvements to the present practice:

(a) Meetings of subsidiary organs of the Council established pursuant to Article 29 of the Charter should be more transparent and their proceedings, when appropriate, open to non-members of the Council. Such meetings should be announced in the *Journal of the United Nations*, and information about the proceedings, in particular those regarding decisions and recommendations, should be made available to non-members.

Suggested amendments to subparagraph (a)

(1) Delete the word "more" in the first sentence.

(2) In the first sentence, insert the words "and working groups of the Security Council" after the words "the Charter".

(3) Delete the entire subparagraph.

(4) In the first sentence, insert the word "other" after the words "Meetings of".

(5) Move subparagraph (a) to the very beginning of Chapter III.

(b) Chairmen of other subsidiary organs of the Security Council should, as appropriate after each meeting, give substantive and detailed briefings on their proceedings to non-members of the Council and, as appropriate, distribute documents which were considered in the course of such meetings. Such briefings should be announced in the *Journal of the United Nations*.

Suggested amendment to subparagraph (b)

In the first line, delete the word "other".

Note: The question of a reference to Security Council working groups in this subparagraph may require further consideration.

30. **Institutionalization:**

Incorporate provisions to this effect into the rules of procedure of the Security Council or, as appropriate, statements by the President of the Council.

IV. Relationship between the Security Council and other principal organs of the United Nations

A. International Court of Justice

31. **Suggested improvements to the present practice:**

In accordance with relevant provisions of the Charter, the Security Council should consider requesting more often the International Court of Justice to give an advisory opinion on any legal question.

Suggested amendments

(1) Insert the words "request more often" in place of the words "consider requesting more often".

(2) Insert the words "request as appropriate" in place of the words "consider requesting more often".

32. **Institutionalization:**

Incorporate provisions to this effect into the rules of procedure of the Security Council or, as appropriate, statements by the President of the Council.

B. Economic and Social Council

33. **Suggested improvements to the present practice:**

In accordance with Article 65 of the Charter, the Security Council should consider requesting the Economic and Social Council to furnish it with information on matters relevant to the work of the Security Council.

34. **Institutionalization:**

Incorporate provisions to this effect into the rules of procedure of the Security Council or, as appropriate, statements by the President of the Council.

V. Relationship between the Security Council and regional arrangements and agencies

35. **Suggested improvements to the present practice:**

(a) Efforts to enhance regional capacities should not relieve the Security Council of its obligations under the Charter of the United Nations, which confers on it the primary responsibility for the maintenance of international peace and security;

Suggested amendments to subparagraph (a)

(1) Insert the words "peacekeeping capacities of regional arrangements or agencies" in place of "regional capacities".

(2) Delete the entire subparagraph.

(b) In its relations with regional arrangements and agencies, the Security Council should take fully into account the relevant provisions of General Assembly resolution 49/57 of 9 December 1994 and annex I to General Assembly resolution 51/242 of 15 September 1997, entitled "Coordination", bearing in mind the primary responsibility of the Security Council for the maintenance of international peace and security;

(c) Regional arrangements and agencies should be consulted on matters affecting the maintenance of international peace and security in accordance with Chapter VIII of the Charter and the relevant mandates of regional arrangements and agencies concerned.

Suggested amendments to subparagraph (c)

(1) Insert the words "Close consultation should be maintained between the Security Council and regional arrangements and agencies" in place of the words "Regional arrangements and agencies should be consulted".

(2) Insert the words "Consultation should be strengthened between the Security Council and regional arrangements and agencies" in place of the words "Regional arrangements and agencies should be consulted".

(3) Revise the subparagraph to read: "The Security Council, in accordance with the provisions of Chapter VIII of the Charter, should enhance its cooperation and consultations on matters affecting the maintenance of international peace and security, with the relevant regional arrangements and agencies."

(4) Delete the entire subparagraph.

Suggested amendments to subparagraphs (a)-(c)

(1) Delete the entire section V.

(2) Retain subparagraphs (a) and (c) if section V is to be retained.

36. **Institutionalization:**

Incorporate provisions to this effect into the rules of procedure of the Security Council or, as appropriate, statements by the President of the Council.

Presidential notes and statements that may be of relevance

Note by the President of the Security Council of 28 May 1993 (S/25859)

"The Security Council reaffirms the importance it attaches to the role of regional arrangements and organizations and to coordination between their efforts and those of the United Nations in the maintenance of international peace and security. The Council welcomes the readiness of Member States, acting nationally or through regional organizations or arrangements, to cooperate with the United Nations and other Member States by providing their particular resources and capabilities for peace-keeping purposes. The Security Council, acting within the framework of Chapter VIII of the Charter of the United Nations, calls upon regional organizations and arrangements to consider ways and means of enhancing their contributions to the maintenance of peace and security. For its part the Security Council expresses its readiness to support and facilitate, taking into account specific circumstances, peace-keeping efforts undertaken in the framework of regional organizations and arrangements in accordance with Chapter VIII of the Charter. The Security Council looks forward to the report of the Secretary-General on cooperation between the United Nations and regional organizations."

General Assembly resolutions that may be of relevance

49/57. Declaration on the Enhancement of Cooperation between the United Nations and Regional Arrangements or Agencies in the Maintenance of International Peace and Security of 9 December 1994

The General Assembly,

1. Approves the Declaration on the Enhancement of Cooperation between the United Nations and Regional Arrangements or Agencies in the Maintenance of International Peace and Security, the text of which is annexed to the present resolution;

ANNEX

Declaration on the Enhancement of Cooperation between the United Nations and Regional Arrangements or Agencies in the Maintenance of International Peace and Security

The General Assembly,

Recalling the provisions of the Charter of the United Nations concerning the role of regional arrangements or agencies in the maintenance of international peace and security, in particular the provisions of Chapter VIII of the Charter,

Recalling also that resort to regional arrangements or agencies is among the means referred to in Chapter VI of the Charter for the peaceful settlement of disputes,

Recognizing that regional arrangements or agencies can play an important role in preventive diplomacy and in enhancing regional and international cooperation, *Recognizing also the importance of the role of regional arrangements or agencies in dealing with such matters relating to the maintenance of international peace and security as are appropriate for regional action, provided that such arrangements or agencies and their activities are consistent with the purposes and principles of the United Nations,*

Taking into account the experience gained and the favourable results achieved by regional arrangements or agencies in the peaceful settlement of disputes in different parts of the world,

Bearing in mind the variety of mandates, scope and composition of regional arrangements or agencies,

Considering that action at the regional level can contribute to the maintenance of international peace and security,

Emphasizing that respect for the principles of sovereignty, territorial integrity and political independence of States and non-intervention in matters which are essentially within the domestic jurisdiction of any State is crucial to any common endeavour to promote international peace and security,

Emphasizing also that peace-keeping activities undertaken by regional arrangements or agencies should be conducted with the consent of the State in the territory of which such activities are carried out,

Stressing the primary responsibility of the Security Council, under Article 24 of the Charter, for the maintenance of international peace and security,

Emphasizing further that the efforts made by regional arrangements or agencies, in their respective fields of competence, in cooperation with the United Nations can usefully complement the work of the Organization in the maintenance of international peace and security,

Stressing the need to enhance cooperation between the United Nations and regional arrangements or agencies in the maintenance of international peace and security,

Considering that such enhanced cooperation between the United Nations and regional arrangements or agencies would promote collective security in accordance with the Charter,

Solemnly declares that:

1. In accordance with the provisions of the Charter of the United Nations concerning the role of regional arrangements or agencies in the maintenance of international peace and security, in particular Chapter VIII of the Charter:

(a) The Members of the United Nations entering into such arrangements or constituting such agencies shall make every effort to achieve pacific settlement of local disputes through such regional

arrangements or by such regional agencies before referring them to the Security Council;

(b) The Security Council shall encourage the development of pacific settlement of local disputes through such regional arrangements or by such regional agencies either on the initiative of the States concerned or by reference from the Council;

(c) The above provisions in no way impair the application of Articles 34 and 35 of the Charter;

(d) The Security Council shall, where appropriate, utilize such regional arrangements or agencies for enforcement action under its authority, but no enforcement action shall be taken under regional arrangements or by regional agencies without the authorization of the Council;

(e) The Security Council shall at all times be kept fully informed of activities undertaken or in contemplation under regional arrangements or by regional agencies for the maintenance of international peace and security;

2. Regional arrangements or agencies can, in their fields of competence and in accordance with the Charter, make important contributions to the maintenance of international peace and security, including, where appropriate, through the peaceful settlement of disputes, preventive diplomacy, peacemaking, peace-keeping and post-conflict peace-building;

3. Cooperation between regional arrangements or agencies and the United Nations, in the maintenance of international peace and security, may take various forms, including, inter alia:

(a) Exchange of information and the holding of consultations at all levels;

(b) Participation as appropriate in the work of the United Nations organs, in accordance with the applicable rules of procedure and practices;

(c) Making available personnel, material and other assistance, where appropriate;

4. Cooperation between regional arrangements or agencies and the United Nations should be in accordance with their respective mandates, scope and composition and should take place in forms that are suited to each specific situation, in accordance with the Charter;

5. Regional efforts undertaken by regional arrangements or agencies in the area of the maintenance of international peace and security, within their respective fields of competence and in accordance with the purposes and principles of the Charter, should be encouraged and, where appropriate, supported by the Security Council;

6. States participating in regional arrangements or agencies are encouraged to consider the possibility of increasing efforts at the *regional level for the maintenance of international peace and security in accordance with the Charter;*

7. States participating in regional arrangements or agencies are encouraged to promote confidence-building at the regional level for the maintenance of international peace and security;

8. States participating in regional arrangements or agencies are encouraged to consider the possibility of using or, where appropriate, establishing or improving at the regional level procedures and mechanisms for the early detection, the prevention and the peaceful settlement of disputes, in close coordination with the preventive efforts of the United Nations;

9. Regional arrangements or agencies are encouraged to consider, as appropriate, in their fields of competence, ways and means for promoting closer cooperation and coordination with the United Nations with the aim of contributing to the fulfilment of the purposes and principles of the Charter, including in the fields of preventive diplomacy, peacemaking and post-conflict peace-building, and where appropriate, peace-keeping;

10. Regional arrangements or agencies are encouraged to consider, in their fields of competence, the possibility of establishing and training groups of military and civilian observers, fact-finding missions and contingents of peace-keeping forces, for use as appropriate, in coordination with the United Nations and, when necessary, under the authority or with the authorization of the Security Council, in accordance with the Charter;

11. The Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations, 2/ the Manila Declaration on the Peaceful Settlement of International Disputes, 3/ the Declaration on the Enhancement of the Effectiveness of the Principle of Refraining from the Threat or Use of Force in International Relations, 4/ the Declaration on the Prevention and Removal of Disputes and Situations Which May Threaten International Peace and Security and on the Role of the United Nations in this Field 5/ and the Declaration on Fact-finding by the United Nations in the Field of the Maintenance of International Peace and Security 6/ are hereby reaffirmed together with their provisions concerning the activities of regional arrangements or agencies in the maintenance of international peace and security;

12. Nothing in the present Declaration is to be construed as prejudicing in any manner the provisions of the Charter.

VI. Rules of procedure and institutionalization of the measures taken by the Security Council to enhance its working methods and transparency

37. **Suggested improvements to the present practice:**

The Security Council should finalize its provisional rules of procedure. Towards this end, the following steps should be taken by the Council:

(i) The arrangements regarding various measures that the Council has already adopted to enhance its methods and transparency, as well as the new measures discussed above, should be institutionalized as proposed by this Working Group in sections II-V of the present report;

(ii) After institutionalization of the measures described in subparagraph (i) above, there should be an overall review of the provisional rules of procedure, after which the word "provisional" should be deleted.

Annex XVI

Working methods of the Security Council and transparency of its work

Conference room paper submitted by the Bureau of the Working Group

Addendum*

Introduction

The present conference room paper sets out the suggestions made, for inclusion in document A/AC.247/2001/CRP.3, in the course of the Working Group's discussions at its meetings in March, May, June and July 2001.

The suggestions set out in the present paper will be incorporated in a revised version of document A/AC.247/2001/CRP.3 which will be annexed to the report of the Working Group to the General Assembly.

Part 1 below sets out the suggestions made, for inclusion in document A/AC.247/2001/CRP.3, at the March session of the Working Group.

Part 2 below sets out the suggestions made, for inclusion in document A/AC.247/2001/CRP.3, at the May session of the Working Group.

Part 3 below sets out the suggestions made, for inclusion in document A/AC.247/2001/CRP.3, at the June session of the Working Group.

Part 4 below sets out the suggestions made, for inclusion in document A/AC.247/2001/CRP.3, at the July session of the Working Group.

Part 1
Suggestions made, for inclusion in document A/AC.247/2001/CRP.3, at the March session of the Working Group

Chapter II
(Relationship between the Security Council, the General Assembly and the general membership of the United Nations)

A. Meetings of the Security Council and informal consultations of the whole

1. ....

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* Previously issued as document A/AC.247/2001/CRP.3/Add.1.

(c) When special circumstances so require, the members of the Security Council may meet for informal consultations of the whole;

Suggested amendments to subparagraph (c):

(1) Insert the words "closed meetings" in place of the words "informal consultations".

(2) Revise the subparagraph so that it reads: "Members of the Security Council may meet for informal consultations of the whole for the exclusive purpose of drafting its decisions or hearing briefings on exceptionally delicate situations when members of the Security Council determine that circumstances so require".

B. Participation of non-members in meetings of the Security Council and informal consultations of the whole

……………………………………

(a) The Security Council should more frequently hear the views of non-members of the Council, in public meetings at the beginning of its consideration of a substantive matter.

Suggested amendments to subparagraph (a):

Revise the subparagraph so that it reads: "The Security Council should more frequently hear the views of non-members of the Council, particularly those affected by the issues under consideration, in public meetings at the beginning of its consideration of a substantive matter".

……………………………

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(d) Non-members of the Security Council whose interests are specially affected and who are willing to participate in a private meeting should state this special interest in a letter to the President of the Security Council. This letter should include a specification and substantiation of the interest referred to; furthermore, it should name the subjects intended to be raised in the meeting. The President should distribute the letter to all members of the Security Council.

Suggested amendments to subparagraph (d):

(1) In the first sentence, insert the words "public and private meetings" in place of the words "private meeting".

(2) Insert the words "who feel their interests are specially affected" in place of the words "whose interests are specially affected".

(f) The Security Council should, on a timely and regular basis, conduct consultations with countries affected by the decisions of the Council.

Suggested amendments to subparagraph (f):

(1) Insert the words "on a timely basis" in place of the words "on a timely and regular basis".

(2) The subparagraph should be moved to section I (Consultations pursuant to Article 50 of the Charter).

Part 2
Suggestions made, for inclusion in document A/AC.247/2001/CRP.3, at the May session of the Working Group

Chapter II
(Relationship between the Security Council, the General Assembly and the general membership of the United Nations)

C. Programme of work of the Security Council and agenda of its meetings and informal consultations of the whole

....

....

(c) The Council should consider its monthly programme of work at a public meeting.

Suggested amendments to subparagraph (c):

(1) Subparagraph (c) should be deleted.

(2) Subparagraph (c) should be revised to read: "At the beginning of each month, the Council should consider its monthly programme of work at a public meeting".

(3) Subparagraph (c) should be revised to read: "The Council should conduct its initial consideration of its monthly programme of work at a public meeting".

D. Briefings by the President of the Security Council to non-members, availability of draft resolutions and summaries of meetings and informal consultations of the whole

(a) The present practice followed by the Presidency of the Security Council of briefing non-members should be continued. The briefings should take place immediately after Council meetings or informal consultations of the whole. Interpretation should be provided for those briefings. Briefings for non-members should be closed and held no later than briefings for the media. The President of the Council will decide whether written records of such briefings, including the elements of statements made by him/her to the press, should also be distributed. If written records of the briefings are to be provided, they should also be transmitted to the permanent missions to the United Nations through electronic mail.

Suggested amendments to subparagraph (a) (second sentence):

(1) In the second sentence, insert the word "shortly" in place of "immediately" and delete the words "meetings or".

(2) Revise the second sentence to read: "The briefings should be detailed and take place immediately after private meetings and informal consultations of the whole" .

(3) With reference to suggestion (2) above, delete the word "private meetings and".

(4) Revise the second sentence to read: "The briefings should be detailed and take place directly following informal consultations of the whole and as appropriate after private meetings of the Council".

(5) In suggestion (4) above, insert the words "immediately after" in place of "directly following".

(6) Revise the second sentence to read: "Briefings should be detailed and take place directly following informal consultations of the whole and Council meetings not open to all Member States".

(7) Revise the second sentence to read: "Detailed briefings should take place immediately after informal consultations of the whole and Council meetings not open to all Member States".

Suggested amendments to subparagraph (a) (fourth sentence):

(1) Revise the fourth sentence to read: "Briefings for non-members should be closed and held before briefings for the media".

(2) Delete the fourth sentence.

Suggested amendments to subparagraph (a) (fifth and sixth sentences):

(1) Delete the fifth and sixth sentences.

(2) Retain the fifth sentence, but delete the sixth sentence.

(3) Revise the sixth sentence to read as follows:

"If written records of the briefings are to be provided, they should be made available through any appropriate means".

(b) A short factual summary of the Council's informal consultations of the whole, prepared by the Secretariat in consultation with the President, should be circulated to all Member States no later than the day after. The summaries should also be transmitted to permanent missions through electronic mail.

Suggested amendments to subparagraph (b):

(1) In the second sentence, include the words "normal channels, including" before the words "electronic means".

(2) Include the following as a new third sentence:

> "The summaries should not identify the positions of Security Council members, but should include major points of discussion".

E. Meetings with troop-contributing countries and other countries contributing to a peacekeeping operation

Suggested amendments to section E:

The italicized notations with reference to section E should be updated and should include the relevant provisions of paragraph 61 of the Report of the Panel on United Nations Peace Operations (the Brahimi report) (A/55/305-S/2000/809) *and* section D of the report of the Special Committee on Peacekeeping Operations of 4 December 2000 (A/C.4/55/6).

Note: An important resolution on meetings with troop-contributing countries is to be adopted in May by the Security Council; therefore, discussions on this section should be deferred until the June session.

F. Reports of the Security Council to the General Assembly

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…………………

(b) Upon the completion of his/her Presidency, each Presidency of the Security Council should provide a substantive and analytical assessment of the work of the Council, including, as appropriate, informal consultations of the whole, held during his/her Presidency. These assessments, prepared under the exclusive responsibility of the President following consultations with Council members, should be balanced, comprehensive and objective and distributed as official documents to all Member States immediately after their issuance by the outgoing President. They should also be appended to the annual report of the Council to the General Assembly.

Suggested amendments to subparagraph (b):

(1) Subparagraph (b) should be revised to read as follows:

> "As is the present practice, upon the completion of his/her Presidency each President of the Security Council may wish to provide an assessment of the work of the Council including, as appropriate, informal consultations of a whole, held during his/her Presidency. These assessments should be prepared under the exclusive responsibility of the President following consultations with Council members, and should be distributed as official documents to Member States immediately after their issuance by the outgoing President. Such assessments should include copies of statements that the President of the Security Council makes to the press on behalf of the members of the Council as appropriate. They should also be appended to the annual report of the Council to the General Assembly".

(2) In the first sentence of the above amendment, insert "should provide" in place of "may wish to provide".

(3) Include the following paragraph immediately after paragraph (b).

"The President should, on the last day of his Presidency, give an oral briefing at a public meeting of the Council".

(c) The annual report of the Security Council should also include information on the informal consultations of the whole.

Suggested amendments to subparagraph (c):

(1) Delete subparagraph (c) and the suggested amendments.

(2) Delete the suggested amendments to subparagraph (c), but retain subparagraph (c).

(3) Retain subparagraph (c) until the question of how "informal consultations" are to be handled in the entire document is resolved.

Part 3

Suggestions made, for inclusion in document A/AC.247/2001/CRP.3, at the June session of the Working Group

Chapter II

(Relationship between the Security Council, the General Assembly and the general membership of the United Nations)

G. "Arria formula"

13. On the initiative of one of its members and in keeping with rule 39 of its provisional rules of procedure, the Security Council could resort, as appropriate, to the Arria formula to hear views and obtain or exchange information with personalities, organisations, institutions, or whomever it considers pertinent, involved in a conflict. At no time will the Security Council receive representatives of Governments of United Nations Member States under this mechanism. The level of representation of the Security Council members should be commensurate with that of those invited.

Suggested amendments to paragraph 13:

(1) In the first sentence, the reference to rule 39 of the provisional rules of procedure should be deleted; the word "resort to" should be replaced with the word "use"; and the words "involved in a conflict" should be deleted.

(2) In the second sentence, replace the words "at no time will the Security Council" with the words "as a general rule, the Security Council may".

H. Meetings of the Security Council in accordance with Articles 35 and 99 of the Charter

15. Requests for meetings of the Security Council in accordance with Articles 35 and 99 of the Charter should be immediately circulated as a document of the Council, and the requested meeting should be promptly convened.

Suggested amendments to paragraph 15:

(1) Replace section H with the following:

H. Ad hoc missions of the Security Council

(a) The Security Council should continue to inform the general membership as soon as possible about its ad hoc missions to a crises region as well as its terms of reference.

(b) The Security Council should also continue the practice of informing the general membership as soon as possible about the findings of such missions, for example in a written report circulated as a United Nations document.

(c) The Security Council should furthermore provide for a meeting to discuss the findings of those missions, while allowing non-members of the Council to participate in the discussions.

Suggested amendments to the above proposal:

(1) In subparagraph (a), the words "as soon as possible" should be replaced with "immediately".

(2) In subparagraph (a), the word "crises" is too restrictive.

(3) A new subparagraph (a) should be included to read as follows:

"The Security Council should include troop-contributing countries that contribute formed units to a particular United Nations peacekeeping operation in Council missions to the country/countries hosting such an operation".

L. Consultations with funds, programmes and agencies

23. In cases when the Security Council is involved in mandating humanitarian and operational assistance, the President of the Council should consult the principal officers of the organizations concerned.

Suggested amendments to paragraph 23:

The paragraph should be revised to read as follows:

"In order to avoid any gap between peacekeeping and peace-building, the Security Council should, where appropriate, consult, at various stages of any peacekeeping operation that includes peace-building elements and in particular when the operation is being established, with the State concerned and with relevant actors who are primarily responsible for coordinating and implementing aspects of peace-building activities, such as the General Assembly, the Economic and Social Council, the United Nations funds and programmes, the international financial institutions, regional organizations and major donor countries."

III. Subsidiary organs of the Security Council

A. Sanctions committees

……………………………

……………………………

(c) The countries specially affected by sanctions regimes, including target countries, should be given reasonable access to sanctions committees to explain their situations directly related to the implementation of sanctions.

Suggested amendments to subparagraph (c):

The access to "sanctions committees" of countries affected by "sanctions regimes" should be maximized.

B. Other subsidiary organs

(a) Meetings of subsidiary organs of the Council established pursuant to Article 29 of the Charter should be more transparent and their proceedings, when appropriate, open to non-members of the Council. Such meetings should be announced in the *Journal of the United Nations*, and information about the proceedings, in particular those regarding decisions and recommendations, should be made available to non-members.

Suggested amendments to subparagraph (a):

In the first sentence, in place of the words "subsidiary organs" insert the words "working groups".

IV. Relationship between the Security Council and other principal organs of the United Nations

A. International Court of Justice

31. In accordance with relevant provisions of the Charter, the Security Council should consider requesting more often the International Court of Justice to give an advisory opinion on any legal question.*

Suggested amendment to paragraph 31:

(1) In place of the words "more often" insert the words "when legally necessary".

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* See A/AC.247/1997/CRP.4 of 30 April 1997 (A/51/47, annex V), "Negotiating paper submitted by the Movement of Non-Aligned Countries", for an earlier formulation.

(2) The words "on any legal question" should be replaced with the words "relevant to the maintenance of international peace and security".

(3) Delete paragraph 31.

VI. Rules of procedure and institutionalization of the measures taken by the Security Council to enhance its working methods and transparency

37. The Security Council should finalize its provisional rules of procedure. Towards this end, the following steps should be taken by the Council.

(i) The arrangements regarding various measures that the Council has already adopted to enhance its methods and transparency, as well as the new measures discussed above, should be institutionalized as proposed by this Working Group in sections II-V of the present report;

(ii) After institutionalization of the measures described in subparagraph (i) above, there should be an overall review of the provisional rules of procedure, after which the word "provisional" should be deleted.

Suggested amendments to paragraph 37:

Paragraph 37 should not be included.

Part 4

Suggestions made, for inclusion in document A/AC.247/2001/CRP.3, at the July session of the Working Group

[To be completed]

Annex XVII

Working methods of the Security Council and transparency of its work

Revised conference room paper submitted by the Bureau of the Working Group*

I. Introduction

In this revised version of conference room paper A/AC.247/2001/CRP.3 (which was based on A/54/47, annex XII) on the working methods of the Security Council and transparency of its work, paragraphs and subparagraphs which have been provisionally agreed in the Working Group are indicated by bold typeface. For paragraphs on which there is not yet provisional agreement, amendments and suggestions presented in the discussion in the Working Group, including those contained in A/AC.247/2001/CRP.3/Add.1, as recorded by the Bureau, have also been listed; there were also proposals to delete some of these paragraphs. Further proposals to that effect may be made in the future.

Furthermore, the Bureau has decided to add, under respective headings of this conference room paper (within boxes), relevant excerpts of Security Council and General Assembly resolutions as well as notes and statements of the President of the Security Council, of which it is aware. The Bureau hopes that the inclusion of these excerpts may inform delegations of relevant past practice in this area and facilitate constructive discussion within the Working Group.

II. Relationship between the Security Council, the General Assembly and the general membership of the United Nations

A. Meetings of the Security Council and informal consultations of the whole**

1. Suggested improvements to the present practice:

(a) The Security Council should, as a general rule, meet in a public format open to all Member States of the United Nations;

(b) Exceptionally, the Security Council may decide to meet in private;

(c) When special circumstances so require, the members of the Security Council may meet for informal consultations of the whole;

Suggested amendments to subparagraph (c)

(1) Revise the subparagraph to read: "When the members of the Security Council agree that special circumstances so require, they may meet for informal consultations of the whole".

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* Previously issued as document A/AC.247/2001/CRP.3/Rev.1.

** This title to be reviewed when we reach the stage of institutionalization.

(2) Revise the subparagraph to read: "When the Security Council agrees that special circumstances so require, [its members]/[it] may meet for informal consultations of the whole".

(3) Revise the subparagraph to read: "When members of the Security Council determine that circumstances so require, they may meet for informal consultations of the whole".

(4) Delete the word "special".

(5) Revise the subparagraph to read: "Members of the Security Council may meet for informal consultations of the whole for the exclusive purpose of drafting its decisions or hearing briefings on exceptionally delicate situations".

(6) Delete the entire subparagraph.

(7) Insert the words "closed meetings" in place of the words "informal consultations".

(8) Revise the subparagraph so that it reads: "Members of the Security Council may meet for informal consultations of the whole for the exclusive purpose of drafting its decisions or hearing briefings on exceptionally delicate situations when members of the Security Council determine that circumstances so require".

(d) The Security Council should, in a timely fashion and whenever appropriate, hold substantive orientation debates open to all Member States on matters under its consideration;

(e) The Security Council should, whenever appropriate, meet at the ministerial level;

(f) When the Secretary-General, his/her special representatives and/or special envoys, and the heads or representatives of United Nations bodies, agencies or field missions report to the Security Council, they should do so, as a general rule, in a public format.

(g) Exceptionally, the Secretary-General, his/her special representatives and/or special envoys, and the heads or representatives of the United Nations bodies, agencies or field missions may report to the Security Council in private.

Suggested amendment to subparagraph (g)

Delete the word "Exceptionally".

2. Institutionalization

Incorporate provisions to this effect into the rules of procedure of the Security Council or, as appropriate, statements by the President of the Council.

Presidential notes and statements that may be of relevance

Statement by the President of the Security Council of 16 December 1994 (S/PRST/1994/81)

"The Security Council has heard the views of members of the Council and many other United Nations Member States on the item under discussion. These have revealed widespread support for greater recourse to open meetings of the Council and a clear will on the part of the members of the Council to respond to this. It is therefore the intention of the Council as part of its efforts to improve the flow of information and the exchange of ideas between members of the Council and other United Nations Member States, that there should be an increased recourse to open meetings, in particular at an early stage in its consideration of a subject. The Council will decide on a case-by-case basis when to schedule public meetings of this sort. The Security Council's working group on documentation and procedure will examine further this question in the light of the views expressed and submit a report without delay."

Note by the President of 30 December 1999 (S/1999/1291)

"The members of the Council have agreed that henceforth, in the absence of agreement to the contrary, the President of the Council should make draft resolutions and draft Presidential statements available to States that are not members of the Council as soon as they are introduced within informal consultations of the whole." (para. 2)

"The members of the Security Council have noted the importance of the practice of the presidency of briefing States that are not members of the Council. They agree that such briefings should be substantive and detailed and should cover such elements presented by the President to the press. They also agree that such briefings should take place shortly after informal consultations of the whole." (para. 3)

"Recognizing that the provisional rules of procedure of the Security Council and their own practice provide them with considerable flexibility in choosing how best to structure their meetings, members of the Council have agreed that meetings of the Council could be structured according to, but not limited to, the following formats:

(a) Public meetings:

  (i) To adopt Council action, at which Member States that are not members of the Security Council participate pursuant to the Charter of the United Nations;

  (ii) To hold, inter alia, briefings, thematic debates and orientation debates, at which member States that are not members of the Security Council participate pursuant to the Charter;

(b) Private meetings:

  (i) To hold briefings or other debates, which any interested member States may attend;

> *(ii) To allow certain Member States whose interests the Security Council considers are specifically affected by the matter under discussion to attend, such as parties to a conflict;*
>
> *(iii) To permit the transaction of Security Council business which only members of the Security Council attend, e.g., appointment of the Secretary-General." (para. 5)*
>
> *Note by the President of 28 February 2000 (S/2000/155)*
>
> *"The members of the Security Council...will upon their request be invited to observe the informal consultations of the Council members for the period of one month immediately preceding their term of membership (that is, with effect from 1 December) for the purpose of acquainting themselves with the activities of the Council." (para. 1)*

B. Participation of non-members in meetings of the Security Council and informal consultations of the whole*

The active participation of non-members in the substantive discussions of the Security Council is an important step towards making the work of the Council more open, effective, transparent and representative.

3. **Suggested improvements to the present practice:**

(a) The Security Council should more frequently hear the views of non-members of the Council, in public meetings at the beginning of its consideration of a substantive matter;

Suggested amendments to subparagraph (a)

(1) Delete the entire subparagraph.

(2) Insert the words "in particular" after the words "in public meetings".

(3) Insert the word "including" before the words "in public meetings".

(4) Insert the words "in a timely fashion" in place of the words "at the beginning of".

(5) Insert the words "in particular at an early stage of its consideration" in place of the words "at the beginning of its consideration of a substantive matter".

(6) Insert the words "in particular at an early stage in its consideration of a subject" in place of the words "at the beginning of its consideration of a substantive matter".

(7) Merge the subparagraph with subparagraph 1 (d) in section A.

(8) Insert the words "at all stages" in place of the words "at the beginning".

(9) Insert the word "including" before the words "in public meetings", and replace the words "the beginning" with the word "during".

(10) Revise the subparagraph so that it reads: "The Security Council should hear the views of non-members of the Council at all stages, in particular at an early stage of its consideration of a substantive matter."

(11) Revise the subparagraph so that it reads: "The Security Council should more frequently hear the views of non-members of the Council, particularly those affected by the issues under consideration, in public meetings at the beginning of its consideration of a substantive matter".

(b) **When a non-member of the Security Council submits a written request for a meeting with the President of the Council to discuss an urgent matter affecting its interests, the President should acknowledge such a request in writing. Upon receipt of such a request, the President should promptly meet the non-member in question and inform the Council about the démarche;**

(c) **The Security Council should fully implement Articles 31 and 32 of the Charter and rules 37 and 38 as well as all other relevant Provisional Rules of Procedure;**

(d) Non-members of the Security Council whose interests are specially affected and who are willing to participate in a private meeting should state this special interest in a letter to the President of the Security Council. This letter should include a specification and substantiation of the interest referred to; furthermore, it should name the subjects intended to be raised in the meeting. The President should distribute the letter to all members of the Security Council.

Suggested amendment to subparagraph (d)

(1) Delete the entire subparagraph.

(2) In the first sentence, insert the words "public or private meetings" in place of the words "private meeting".

(3) Insert the words "who consider that their interests are especially affected" in place of the words "whose interests are especially affected".

(e) Speaking time in private meetings should be limited to a maximum of five minutes and should focus on the subject under consideration.

Suggested amendment to subparagraph (e)

Delete the entire subparagraph.

Suggested amendments to subparagraphs (d) and (e)

(1) Replace the two subparagraphs with the following single subparagraph: "Non-members of the Security Council whose interests are specially affected and who are willing to participate in a private meeting should indicate in writing to the President of the Security Council their desire to do so. The President of the Council should accordingly respond in writing to the requests received from non-members in this regard."

(2) In the suggested amendment (1) above, in the final sentence, insert the words "may if he/she deems it necessary" in place of the words "should accordingly".

(g) The Security Council should, on a timely and regular basis, conduct consultations with countries affected by the decisions of the Council;

Suggested amendments to subparagraph (f)

(1) Insert the words "The President of the Security Council" in place of the words "The Security Council".

(2) Insert the words "when appropriate through its President" after the words "Security Council".

(3) Delete the entire subparagraph.

(4) Insert the words "on a timely basis" in place of the words "on a timely and regular basis".

(5) The subparagraph should be moved to section I (Consultations pursuant to Article 50 of the Charter).

(g) The members of the Security Council should, as appropriate, invite non-members of the Council to participate in their discussions during informal consultations of the whole on matters directly affecting such members, under similar arrangements as stipulated in Articles 31 and 32 of the Charter;

Suggested amendments to subparagraph (g)

(1) Delete the entire subparagraph.

(2) Delete the words "as appropriate".

(3) Revise the subparagraph to read: "The non-members of the Security Council should be invited to participate in Council discussions during informal consultations of the whole on matters directly affecting them, under similar arrangements as stipulated in Articles 31 and 32 of the Charter".

4. Institutionalization:

Incorporate provisions to this effect into the rules of procedure of the Security Council or, as appropriate, statements by the President of the Council.

Presidential notes and statements that may be of relevance

Note by the President of 17 February 1999 (S/1999/165)

"It is important that all members of the Security Council be allowed to participate fully in the preparation of the resolutions of the Council and statements by the President of the Council. Contributions by members of groups of friends and other similar arrangements, which, inter alia, aim at helping to promote the settlement of a particular crisis are welcome. The drafting of resolutions and statements by the President of the Council should be carried out in a manner that will allow adequate participation of all members of the Council. While the need is recognized for the Council, in many instances, to adopt its decisions expeditiously, sufficient time should be allowed for consultations of all members of the Council and for their own consideration of the drafts, prior to action by the Council on specific items."

C. Programme of work of the Security Council and agenda of its meetings and informal consultations of the whole

5. Suggested improvements to the present practice:

(a) The Security Council's tentative forecast of its programme of work for the coming month should be made available to all Member States as soon as it is available to members of the Council;

(b) The calendar setting out the Security Council's provisional monthly schedule of work, and updated versions thereof, should be made available to all Member States as soon as possible after their consideration by the members of the Council;

(c) The Council should consider its monthly programme of work at a public meeting;

Suggested amendments to subparagraph (c)

(1) Insert the words "the calendar setting out the Security Council's provisional monthly schedule of work" in place of the words "its monthly programme of work".

(2) Insert the words "at public meetings" in place of the words "at a public meeting".

(3) Subparagraph (c) should be deleted.

(4) Subparagraph (c) should be revised to read: "At the beginning of each month, the Council should consider its monthly programme of work at a public meeting".

(5) Subparagraph (c) should be revised to read: "The Council should conduct its initial consideration of its monthly programme of work at a public meeting".

(d) The provisional agenda of the Security Council, with indications as to actions expected of the Council (e.g., decisions on draft resolutions and presidential statements, reports, exchanges of views etc.) and the agenda for informal consultations of the whole, including a list of issues to be discussed under "other matters", whenever they are known in advance, should be included in the *Journal of the United Nations*.

6. Institutionalization:

Incorporate provisions to this effect into the rules of procedure of the Security Council or, as appropriate, statements by the President of the Council.

Presidential notes and statements that may be of relevance

Note by the President of the Security Council of 27 July 1993 (S/26176)

"The tentative forecast of the programme of work of the Security Council for each month should be made available to all Members States, for information. This should be done once the Secretariat has presented the forecast to the President of the Council and it has been transmitted to the members of the Council."

"The forecast should be prepared along the same lines as now, in conformity with the decisions of the Council."

"The forecast should be made available, in all official languages 'for information only/not an official document'" and there should be a footnote reading:

"This tentative forecast of the programme of work of the Security Council has been prepared by the Secretariat for the President of the Council. The forecast covers in particular those matters that may be taken up during the month pursuant to earlier decisions of the Council. The fact that a matter is or is not included in the forecast carries no implication that it will or will not be taken up during the month: the actual programme of work will be determined by developments and the views of members of the Council." (para. 1)

Note by the President of the Security Council of 24 January 1996 (S/1996/55)

"The members of the Security Council will continue to review from time to time the list of matters of which the Security Council is seized." (para. 2)

"The above decision has been taken after extensive consideration and appropriate consultation by the Informal Working Group of the Security Council concerning the Council's documentation and other procedural questions." (para. 3)

"Neither the removal of a matter from the list of matters of which the Security Council is seized nor its retention carries any implication for the substance of the matter. The Council may at any time decide to include any matter in the agenda of a meeting of the Council, whether or not it is included in the list." (para. 4)

Note by the President of the Security Council of 22 August 1996 (S/1996/603)

Simplification of the list of matters of which the Security Council is seized (rule 11 of the provisional rules of procedure of the Security Council)

"The Security Council has decided that, as of 15 September 1996, matters which have not been considered by the Council in the preceding five years will be automatically deleted from the list of matters of which the Council is seized." (para. 2)

> *"The result will be that in the next summary statement issued by the Secretary-General after 15 September 1996, the matters listed in the annex to the present note will be deleted." A matter will however, be provisionally retained in the list of matters of which the Security Council is seized for a period of one year if a member of the United Nations notifies its objection to its deletion before 15 September 1996. If at the end of one year the matter has still not been considered by the Council, it will automatically be deleted." (para. 3).*
>
> *"The removal of a matter from the list of matters of which the Security Council is seized has no implication for the substance of the matter and does not affect the exercise by Member States of its right to bring matters to the attention of the Security Council in conformity with Article 35 of the Charter of the United Nations. The Council may at any time decide to include any matter in the agenda of a meeting of the Council, whether or not it is mentioned in the list." (para. 4)*
>
> *Note by the President of the Security Council of 30 April 1998 (S/1998/354)*
>
> *"... the members of the Council have agreed that the following reminder should be placed in the Journal each month:*
>
> *"The monthly tentative forecast has been made available to member States in accordance with the Note by the President of the Security Council dated 27 July 1993 (S/26176), and 30 April 1998 (S/1998/354). In accordance with the aforementioned decisions, copies of the tentative forecast have been placed in the delegations' boxes and may be collected at the delegations' 'pick-up area'." (para. 1)*
>
> *"The members of the Council have recommended that the President make available to all member States the calendar setting out the provisional schedule of work, after completion of the consultations of the whole on the programme of work, in an appropriate form under his responsibility. The following footnote should be included in the calendar:*
>
> *"The schedule is provisional; the actual schedule will be determined by developments. The description of agenda items contained in the provisional schedule may differ from the official formulation." (para. 2)*

D. Briefings by the President of the Security Council to non-members, availability of draft resolutions and summaries of meetings and informal consultations of the whole

7. Suggested improvements to the present practice:

(a) The present practice followed by the Presidency of the Security Council of briefing non-members should be continued. The briefings should take place immediately after Council meetings or informal consultations of the whole. Interpretation should be provided for those briefings. Briefings for non-members should be closed and held no later than briefings for the media. The President of the Council will decide whether written records of such briefings, including the elements of statements made by him/her to the press, should also be distributed. If written records of the briefings are to be provided, they should also be transmitted to the permanent missions to the United Nations through electronic mail;

Suggested amendments to subparagraph (a)[second sentence]

(1) In the second sentence, insert the word "private" between the word "Council" and the word "meetings".

(2) In the second sentence, insert the words "be detailed and" after the words "briefings should".

(3) In the second sentence, insert the word "shortly" in place of "immediately" and delete the words "meetings or".

(4) Revise the second sentence to read: "The briefings should be detailed and take place immediately after private meetings and informal consultations of the whole".

(5) With reference to suggestion (4) above, delete the words "private meetings and".

(6) Revise the second sentence to read: "The briefings should be detailed and take place directly following informal consultations of the whole and as appropriate after private meetings of the Council".

(7) In suggestion (6) above, insert the words "immediately after" in place of the words "directly following".

(8) Revise the second sentence to read: "Briefings should be detailed and take place directly following informal consultations of the whole and Council meetings not open to all Member States".

(9) Revise the second sentence to read: "Detailed briefings should take place immediately after informal consultations of the whole and Council meetings not open to all Member States".

Suggested amendments to subparagraph (a) (third sentence):

(1) Delete the third sentence.

Suggested amendments to subparagraph (a) (fourth sentence):

(1) In the fourth sentence, insert the words "in parallel with" in place of the words "no later than".

(2) In the fourth sentence, insert the words "statements to the media" in place of the words "briefings for the media".

(3) Revise the fourth sentence to read: "Briefings for non-members should be closed and held before briefings for the media".

(4) Delete the fourth sentence.

Suggested amendments to subparagraph (a) (fifth and sixth sentences):

(1) In the final sentence, insert the words "made available" in place of the word "transmitted".

(2) Delete the last two sentences of the subparagraph.

(3) Delete the fifth and sixth sentences.

(4) Retain the fifth sentence, but delete the sixth sentence.

(5) Revise the sixth sentence to read:

"If written records of the briefings are to be provided, they should be made available through any appropriate means".

(b) A short factual summary of the Council's informal consultations of the whole, prepared by the Secretariat in consultation with the President, should be circulated to all Member States no later than the day after. The summaries should also be transmitted to permanent missions through electronic mail;

Suggested amendments to subparagraph (b)

(1) Delete the entire subparagraph.

(2) Insert the words "a short summary of major points of discussion" in place of the words "a short factual summary".

(3) Redraft the subparagraph to take into consideration the need for confidentiality.

(4) In the second sentence, include the words "normal channels, including" before the words "electronic means".

(5) Include the following as a new third sentence:

"The summaries should not identify the positions of Security Council members, but should include major points of discussion".

(c) Draft resolutions and draft presidential statements, as well as other draft documents that are tabled at informal consultations of the whole of the Council for action on its agenda items, should be made available by the President of the Security Council also to non-members of the Council as soon as such documents are tabled; or earlier, if so authorized by the author of the draft;

(d) The President, in briefing non-members of the Council, should provide information about the main elements and any new elements of draft resolutions, presidential statements and other documents under consideration by the Council.

8. Institutionalization:

Incorporate provisions to this effect into the rules of procedure of the Security Council or, as appropriate, statements by the President of the Council.

Presidential notes and statements that may be of relevance

Note of the President of the Security Council of 28 February 1994 (S/1994/230)

"1. Effective 1 March 1994, draft resolutions in blue, that is, in provisional form will be made available for collection by non-members of the Council at the time of consultations of the whole of the Council. Draft resolutions published in blue late at night will be made available for collection by non-members of the Council the following day."

"2. The members of the Council welcome the decision by the Secretariat to circulate in informal consultations all press statements issued by the Secretary-General or by his Spokesman on his behalf in connection with matters of concern to the Council."

Note by the President of the Security Council of 31 March 2000 (S/2000/274)

1. The members of the Security Council refer to the difficulties and disruption caused by the collection of copies of statements from outside the Council Chamber and wish to state that they have agreed to the following arrangements for the distributions of statements:

(a) Texts of statements made in the meetings of the Security Council will, at the request of the delegation making the statement, be distributed by the Secretariat inside the Council Chamber to Council members and other Member States and permanent observers to the United Nations present at the meeting;

(b) Any delegation requesting the distribution of its statement shall provide at least 200 copies to the Secretariat sufficiently in advance of the statement being made. Where a delegation provides to the Secretariat fewer than 200 copies of its statement, those copies will be placed outside the Council Chamber at the end of the meeting. Delegations are requested not to make statements otherwise available during the meeting.

2. The above arrangement is exhaustive and replaces the practice provided for under the note by the President of the Security Council dated 23 March 1994 (S/1994/329).

E. Meetings with troop-contributing countries and other countries contributing to a peacekeeping operation

Suggested amendments to section E

The italicized notations with reference to section E should be updated and should include the relevant provisions of paragraph 61 of the report of the Panel on United Nations Peace Operations (the Brahimi report) (A/55/305-S/2000/809) *and* section D of the report of the Special Committee on Peacekeeping Operations of 4 December 2000 (A/C.4/55/6).

Note: An important resolution (1353 (2001)) on meetings with troop-contributing countries was adopted on 16 June 2001 by the Security Council. Discussion on this issue continued also in the Special Committee on Peacekeeping Operations.

Therefore further discussion on this section was deferred.

9. Suggested improvements to the present practice:

(a) While authorizing force, the Security Council should adhere to the provisions of Articles 43 and 44 of the Charter of the United Nations;

Suggested amendment to subparagraph (a)

(1) Delete the entire subparagraph.

(2) Add this sentence at the end of subparagraph (b) below.

Note: The placement of this subparagraph will be considered later.

(b) Meetings between members of the Security Council and countries which contribute troops and civilian police, both current and prospective, should be held on a regular basis before and during the decision-making process on the establishment, conduct, review and termination of a peacekeeping operation, including the extension and change of mandates, as well as specific operational issues. In case of emergencies, such meetings should be held promptly;

(c) Other countries contributing to a peacekeeping operation should be invited, as appropriate, to these meetings;

(d) Countries directly concerned and/or affected by a peacekeeping operation, including host countries, should also, in specific circumstances and where appropriate, be invited to these meetings;

Suggested amendments to subparagraph (d)

(3) Insert the word "as" in place of the words "in specific circumstances and where".

(4) Delete the words "including host countries".

(e) Meetings with troop-contributing countries and other countries contributing to a peacekeeping operation should be convened and chaired by the President of the Security Council, supported by the Secretariat;

(f) Upon the request of a troop-contributing country, the President of the Council should promptly convene meetings with troop-contributing countries;

Suggested amendments to subparagraph (f)

(2) Insert after the word "country" the words "in case of emergencies".

(2) Combine this subparagraph with subparagraph (b).

(3) Insert the words "to a peacekeeping operation" after the word "country", and also after the word "countries".

(g) The President of the Security Council should make the necessary arrangements to ensure that the meetings with troop-contributing countries and other countries contributing to a peacekeeping operation

are held at a time that allows those countries to adequately consider the relevant reports of the Secretary-General. The Secretariat should make these reports available at an appropriate time before such meetings;

(h) Meetings should be announced in the *Journal of the United Nations*;

(i) Immediately following meetings between Security Council members, troop-contributing countries, other contributors and the Secretariat, the President should brief interested non-members of the Security Council on the contents of such meetings. Such briefings should be announced in the *Journal of the United Nations*;

(j) A written summary of meetings with troop-contributing countries, prepared by the Secretariat in consultation with the President of the Security Council, which does not compromise the confidentiality of the work of those meetings, should be made available promptly to all Member States. Written copies of the Secretariat's briefings at those meetings should, whenever possible, be made available to troop-contributing countries upon request;

(k) The President of the Security Council should report to the Council the views expressed by participants at troop-contributors' meetings. The Council should fully take into account these views in its deliberations;

(l) The Secretariat should make available, to all Member States, weekly reports on field operations, which are available to members of the Security Council.

10. Institutionalization:

Incorporate provisions to this effect into the rules of procedure of the Security Council or, as appropriate, statements by the President of the Council.

General Assembly resolutions that may be of relevance

Supplement to an Agenda for Peace of 26 September 1997 (resolution 51/242)

Annex I

Coordination

I. COORDINATION BETWEEN THE UNITED NATIONS AND MEMBER STATES

1. The States that constitute the United Nations membership have a central role to play in the prevention and resolution of conflicts, including through their participation in and support for United Nations efforts to those ends, in accordance with the Charter of the United Nations. The General Assembly underlines the need to strengthen the role of the Assembly in improving coordination, in accordance with its role and responsibilities under the Charter. Governments are responsible for the financing and provision of personnel, equipment and other support to mandated United Nations efforts to maintain international peace and security, whether through preventive diplomacy, peacemaking, *peacekeeping or peace-building. Coordination of efforts and sharing of information between the United Nations and Member States is therefore of fundamental importance.*

2. Transparency, communication and consultation between the United Nations and Member States is vital in the coordination of decisions and activities under the Charter aimed at maintaining and enhancing international peace and security. Governments should ensure that their policies in relation to the various parts and agencies of the United Nations system are consistent and in accordance with those aims, while the United Nations must ensure that its activities are in conformity with the purposes and principles of the Charter, and that States are kept fully informed, and are supportive, of the United Nations efforts.

3. Suitable arrangements for regular and timely consultations between members of the Security Council, assisted by the Secretariat, and States contributing troops to peacekeeping operations, as well as prospective troop contributors, are essential in enhancing transparency and coordination between the United Nations and Member States. Such consultations provide troop-contributing States with a channel for communication and for ensuring that their views are taken into consideration before decisions are made by the Council. The General Assembly welcomes the establishment of this consultation mechanism, which should remain under review with the aim of improving it further so as to strengthen the support for and the effectiveness of peacekeeping operations. In this connection, the Assembly stresses the importance of respecting the principles agreed upon in the Special Committee on Peacekeeping Operations and endorsed unanimously by the Assembly.

Presidential notes and statements that may be of relevance

Statement by the President of the Security Council of 3 May 1994 (S/PRST/1994/22)

"Communication with Non-Members of the Security Council (including Troop Contributors)

"The Security Council recognizes the implications which its decisions on peace-keeping operations have for the Members of the United Nations and in particular for troop-contributing countries.

"The Security Council welcomes the increased communication between members and non-members of the Council and believes that the practice of monthly consultations between the President of the Security Council and competent groups of Member States on the Council's programme of work (which includes matters relating to peace-keeping operations) should be continued.

"The Security Council is conscious of the need for enhanced consultations and exchange of information with troop-contributing countries regarding peace-keeping operations, including their planning, management and coordination, particularly when significant extensions in an operation's mandate are in prospect. Such consultations can take a variety of forms involving Member States, troop-contributing countries, members of the Security Council and the Secretariat.

"The Security Council believes that when major events occur regarding peace-keeping operations, including decisions to change or extend a mandate, there is a particular need for members of the Council to seek to exchange views with troop contributors, including by way of informal communications between the Council's President or its members and troop contributors. The recent practice of the Secretariat convening meetings of troop contributors, in the presence, as appropriate, of Council members, is welcome and should be developed. The Council also encourages the Secretariat to convene regular meetings for troop contributors and Council members to hear reports from Special Representatives of the Secretary-General or Force Commanders and, as appropriate, to make situation reports on peace-keeping operations available at frequent and regular intervals.

"The Security Council will keep under review arrangements for communication with non-members of the Council.

"Standby Arrangements

"The Security Council attaches great importance to improving the capacity of the United Nations to meet the need for rapid deploying and reinforcement of peacekeeping operations.

"In this context the Security Council welcomes the recommendations in the Secretary-General's report of 14 March 1994 concerning stand-by arrangements and capabilities. The Security Council notes the intention of the Secretary-General to devise standby arrangements or capabilities which Member States could maintain at an agreed state of readiness as a possible contribution to a United Nations peacekeeping operation and welcomes the commitments undertaken by a number of Member States.

"The Security Council welcomes the request by the Secretary-General to Member States to respond positively to this initiative and encourages Member States to do so in so far as possible.

"The Security Council encourages the Secretary-General to continue his efforts to include civilian personnel, such as police, in the present standby arrangements planning initiative."

Statement by the President of the Security Council of 27 July 1994 (S/PRST/1994/36)

"The Security Council reiterates the importance it attaches to improving the capacity of the United Nations for rapid deployment and reinforcement of peace-keeping operations. The recent history of United Nations peace-keeping operations demonstrates that such an effort is essential.

"In this context, the Security Council is grateful for the efforts undertaken by the Secretary-General in respect of stand-by arrangements and welcomes the responses so far received from Member States. It also welcomes the intention of the Secretary-General to maintain a comprehensive database of the offers made, including the technical details of these offers.

"The Security Council notes that one of the major limiting factors in the timely deployment of troops for United Nations peace-keeping is the lack of readily available equipment. It stresses the importance of urgently addressing the issue of availability of equipment both in the context of stand-by arrangements and more broadly.

"The Security Council notes the Secretary-General's view that the commitments made so far do not yet cover adequately the spectrum of resources required to mount and execute future peace-keeping operations. It also notes that additional commitments are expected from other Member States. In this context, it welcomes the Secretary-General's call to those Member States which are not already doing so to participate in the arrangements."

Statement by the President of the Security Council of 4 November 1994 (S/PRST/1994/62)

"The Security Council has given further consideration to the question of communication between members and non-members of the Council, in particular troop-contributing countries, which was addressed in the statement of the President of the Council of 3 May 1994 (S/PRST/1994/22). The Council remains conscious of the implications that its decisions on peace-keeping operations have for troop-contributing countries. Having regard to the increase in the number and complexity of such operations, it believes that there is a need for further enhancement, in a pragmatic and flexible manner, of the arrangements for consultation and exchange of information with troop-contributing countries.

"To this end, the Security Council has decided in future to follow the procedures set out in this statement:

"(a) Meetings should be held as a matter of course between members of the Council, troop-contributing countries and the Secretariat to facilitate the exchange of information and views in good time before the Council takes decisions on the extension or termination of, or significant changes in, the mandate of a particular peace-keeping operation;

"(b) Such meetings would be chaired jointly by the Presidency of the Council and a representative of the Secretariat nominated by the Secretary-General;

"(c) The monthly tentative forecast of work of the Council made available to Member States will in future include an indication of the expected schedule of such meetings for the month;

"(d) In the context of their review of the tentative forecast, the members of the Council will examine this schedule and communicate any suggested changes or proposals as to the timing of meetings to the Secretariat;

"(e) Ad hoc meetings chaired jointly by the Presidency of the Security Council and a representative of the Secretariat nominated by the Secretary-General may be convened in the event of unforeseen

developments in a particular peace-keeping operation which could require action by the Council;

"(f) Such meetings will be in addition to those convened and chaired solely by the Secretariat for troop contributors to meet with special representatives of the Secretary-General or force commanders or to discuss operational matters concerning particular peace-keeping operations, to which members of the Security Council will also be invited;

"(g) An informal paper, including topics to be covered and drawing attention to relevant background documentation, will be circulated by the Secretariat to the participants well in advance of each of the various meetings referred to above;

"(h) The time and venue of each meeting with members of the Council and troop contributors to a peace-keeping operation should, where possible, appear in advance in the Journal *of the United Nations;*

"(i) The President of the Council will, in the course of informal consultations of members of the Council, summarize the views expressed by participants at each meeting with troop contributors.

"The Security Council recalls that the arrangements described herein are not exhaustive. Consultations may take a variety of forms, including informal communication between the Council President or its members and troop-contributing countries and, as appropriate, with other countries especially affected, for example countries from the region concerned.

"The Security Council will keep arrangements for the exchange of information and views with troop contributors under review and stands ready to consider further measures to enhance arrangements in the light of experience.

"The Security Council will also keep under review arrangements to improve the quality and speed of the flow of information available to support Council decision-making, bearing in mind the conclusions contained in its statement of 3 May 1994 (S/PRST/1994/22)."

Statement by the President of the Security Council of 19 December 1995 (S/PRST/1995/61)

"The Security Council has noted with interest and appreciation the report of the Secretary-General of 10 November 1995 on stand-by arrangements for peace-keeping operations (S/1995/943). It recalls earlier statements by the President of the Security Council on this subject and strongly supports the efforts of the Secretary-General to enhance the capacity of the United Nations for the planning, rapid deployment and reinforcement and logistical support of peace-keeping operations.

"The Security Council encourages Member States not yet doing so to participate in the stand-by arrangements. It invites them, and those States already participating in the arrangements, to provide information in as detailed a manner as possible on those elements which they are

ready to make available to the United Nations. It also invites them to identify components, such as logistic support elements and sea/airlift resources, presently underrepresented in the arrangement. In this context the Security Council welcomes the initiative undertaken by the Secretariat for the creation of a stand-by Headquarters component within the Mission Planning Service of the Department of Peace-keeping Operations. The Security Council also joins with the Secretary-General in suggesting the establishment of partnerships between those troop-contributing countries that need equipment for units that may be provided to the United Nations and those Governments ready to provide such equipment and other support."

Statement by the President of the Security Council of 28 March 1996 (S/PRST/1996/13)

At the 3645th meeting of the Security Council, held on 28 March 1996 in connection with the Council's consideration of the item entitled "An agenda for peace: peace-keeping", the President of the Security Council made the following statement on behalf of the Council:

"The Security Council has reviewed the arrangements for consultation and exchange of information with troop-contributing countries, which were established by the statement of its President made on behalf of the Council on 4 November 1994 (S/PRST/1994/62). The Council has given careful consideration to the views expressed on this question in its debate under the item 'An Agenda for Peace: Peace-keeping' in its 3611th meeting on 20 December 1995, as well as to the views expressed in debates in the General Assembly.

"The Security Council has noted the wish expressed in these debates that arrangements for consultation and exchange of information with troop-contributing countries should be improved. The Council shares this wish. It considers it essential for troop contributing countries to be heard. It notes that many of the concerns expressed would be met if the arrangements set out in the statement of its President of 4 November 1994 were fully implemented. It is also of the view that those arrangements can be strengthened further as set forth below.

"The Security Council will therefore follow in future the procedures here set out:

"(a) Meetings will be held as a matter of course between members of the Council, troop-contributing countries and the Secretariat for the purpose of consultations and the exchange of information and views; the meetings will be chaired by the Presidency of the Council supported by a representative of the Secretariat;

"(b) The meetings will be held as soon as practicable and in good time before the Council takes decisions on the extension or termination of, or significant changes in, the mandate of a particular peace-keeping operation;

"(c) When the Council considers establishing a new peace-keeping operation, meetings will, unless it proves to be impracticable, be held

with any prospective troop contributors who have already been approached by the Secretariat and who have indicated that they may be willing to contribute to the operation;

"(d) The President of the Council will, in the course of informal consultations of members of the Council, report the views expressed by participants at each meeting with troop-contributing or prospective troop-contributing countries;

"(e) The existing practice of inviting to these meetings Member States which make special contributions to peace-keeping operations other than troops — that is, contributions to trust funds, logistics and equipment — will continue;

"(f) The monthly tentative forecast of work of the Council made available to Member States will include an indication of the expected schedule of such meetings for the month;

"(g) Ad hoc meetings may be convened in the event of unforeseen developments in a particular peace-keeping operation which could require action by the Council;

"(h) These meetings will be in addition to those convened and chaired by the Secretariat for troop contributors to meet with Special Representatives of the Secretary-General or Force Commanders, or to discuss operational matters concerning particular peace-keeping operations, to which members of the Security Council will also be invited;

"(i) Background information and an agenda will be circulated by the Secretariat to the participants well in advance of each of the various meetings referred to above; members of the Council may also circulate information as appropriate;

"(j) Interpretation services in all the official languages of the Organization will continue to be available; translation of written documents will continue to be available, if possible in advance of the meetings;

"(k) The time and venue of each meeting should, where possible, appear in advance in the Journal of the United Nations;

"(l) The Council will append to its annual report to the General Assembly information about these meetings.

"The Security Council recalls that the arrangements described above are not exhaustive. They do not preclude consultations in a variety of forms, including informal communication between the Council President or its members and troop-contributing countries and, as appropriate, with other countries especially affected, for example, countries from the region concerned."

Note by the President of the Security Council of 30 October 1998 (S/1998/1016)

1. The members of the Security Council, recalling the statement by the President of the Council of 16 December 1994 (S/PRST/1994/81), in *which the need for greater recourse to open meetings of the Council was identified, and intending to continue to enhance the transparency of the methods of work of the Council, have agreed that the Secretary-General is to be encouraged to make statements to the Council, when he deems it appropriate, in public meetings of the Council.*

2. Recalling the enhancement of meetings with troop-contributing countries, the members of the Security Council, taking note of the procedures set out in the statement by the President of the Council of 28 March 1996 (S/PRST/1996/13), have also agreed to the following:

(a) With reference to the existing practice of the President of the Council of reporting, in the course of informal consultations of members of the Council, the views expressed by participants in each troop contributors meeting, troop-contributing countries are encouraged to make available to the President, whenever appropriate, copies of their statements during those meetings. Written copies of the Secretariat's briefing at those meetings should, whenever possible, be made available to troop-contributing countries upon request;

(b) With reference to the existing practice of the Secretariat of providing weekly briefing notes to the Council on field operations, the Secretariat is encouraged to make those briefing notes available to troop-contributing countries upon request;

(c) Relevant United Nations bodies and agencies may be invited to troop contributors meetings, when they have a specific contribution to make to the issue under discussion;

(d) With reference to the existing practice of inviting to troop contributors meetings Member States that make special contributions to peacekeeping operations other than troops and civilian police — that is to say, contributions to trust funds, logistics and equipment — other Member States contributing to peacekeeping operations, as appropriate, should also be invited to these meetings;

(e) The President of the Council will inform troop contributors about forthcoming Council deliberations and expected decisions.

3. The Secretariat should establish an appropriate mechanism for alerting non-members of the Security Council about unscheduled or emergency meetings of the Council during nights, weekends or holidays.

4. (a) The annual report of the Security Council to the General Assembly shall include, as an appendix, in addition to the elements identified in the note by the President of the Security Council of 12 June 1997 (S/1997/451), the annual reports of the sanctions committees;

(b) With effect from 1999, the bureau of each sanctions committee shall be appointed by that committee, following consultations between Council members, either at its first meeting if that meeting takes place in January, or in writing at the instance of the Presidency of the Council under a no-objection procedure.

Security Council resolutions that may be of relevance

Resolution 1318 (2000)

Adopted by the Security Council at its 4194th meeting on 7 September 2000

The Security Council,

Decides to adopt the attached declaration on ensuring an effective role for the Security Council in the maintenance of international peace and security, particularly in Africa.

Part III of the Declaration

Strongly encourages the development within the United Nations system and more widely of comprehensive and integrated strategies to address the root causes of conflicts, including their economic and social dimensions;

Affirms its determination to strengthen United Nations peacekeeping operations by:

Adopting clearly defined, credible, achievable and appropriate mandates,

- *Including in those mandates effective measures for the security and safety of United Nations personnel and, wherever feasible, for the protection of the civilian population,*
- *Taking steps to assist the United Nations to obtain trained and properly equipped personnel for peacekeeping operations,*
- *Strengthening consultations with troop-contributing countries when deciding on such operations;*

Agrees to support:

- *the upgrading of United Nations capacity for planning, establishing, deploying and conducting peacekeeping operations,*
- *the provision of a more up-to-date and sounder foundation for financing peacekeeping operations;*

Underlines the importance of enhancing the United Nations capacity for rapid deployment of peacekeeping operations and urges Member States to provide sufficient and timely resources;

Part VII of the Declaration

Calls for the strengthening of cooperation and communication between the United Nations and regional or sub-regional organizations or arrangements, in accordance with Chapter VIII of the Charter, and in particular in respect of peacekeeping operations;

Emphasizes the importance of continued cooperation and effective coordination between the United Nations and the

Organization of African Unity and African sub-regional organizations in addressing conflict in Africa, and of enhanced support for the Organization of African Unity Mechanism for Conflict Prevention, Management and Resolution;

Resolution 1327 (2000)

Adopted by the Security Council at its 4220th meeting, on 13 November 2000

Having considered the recommendations in the report of the Panel on United Nations Peace Operations which fall within its area of responsibility,

1. Agrees to adopt the decisions and recommendations contained in the annex to the resolution;

2. Decides to review periodically the implementation of the provisions contained in the annex;

3. Decides to remain actively seized of the matter.

Annex

The Security Council,

Underlines the importance of an improved system of consultations among the troop-contributing countries, the Secretary-General and the Security Council, in order to foster a common understanding of the situation on the ground, of the mission's mandate and of its implementation;

Agrees, in this regard, to strengthen significantly the existing system of consultations through the holding of private meetings with troop-contributing countries, including at their request, and without prejudice to the provisional rules of procedure of the Security Council, in particular when the Secretary-General has identified potential troop-contributing countries for a new or ongoing peacekeeping operation, during the implementation phase of an operation, when considering a change in, or renewal or completion of a peacekeeping mandate, or when a rapid deterioration in the situation on the ground threatens the safety and security of United Nations peacekeepers;

Requests the Secretary-General, following full consultations with the United Nations membership, in particular troop-contributing countries, to prepare a comprehensive operational doctrine for the military component of United Nations peacekeeping operations and submit it to the Security Council and the General Assembly;

Statement by the President of the Security Council of 31 January 2001 (S/PRST/2001/3)

At the 4270th meeting of the Security Council, held on 31 January 2001, in connection with the Council's consideration of the item entitled "Strengthening cooperation with troop-contributing countries", the

President of the Security Council made the following statement on behalf of the Council:

> *"The Security Council has given further consideration to the question of strengthening cooperation between the Council, the troop-contributing countries and the Secretariat. In this connection, the Council stresses the importance of full implementation of provisions of resolution 1327 (2000) of 13 November 2000 and in the statements of its President of 28 March 1996 (S/PRST/1996/13) and 3 May 1994 (S/PRST/1994/22). The Council takes note of the views expressed at its debate on the subject 'Strengthening Cooperation with Troop-Contributing Countries' at its 4257th meeting on 16 January 2001. The Council recognizes the scope for further improvement in its relations with troop-contributing countries and the need to work together with a common purpose towards shared goals.*
>
> *"The Security Council recognizes that in view of the increasing complexity of peacekeeping operations, there is a need for a transparent three-way relationship between the Security Council, the Secretariat and the troop-contributing countries that will foster a new spirit of partnership, cooperation and confidence.*
>
> *"Recognizing that the experience and expertise of troop-contributing countries in theatres of operation can greatly assist the planning process, the Security Council reiterates its agreement to hold consultations with troop-contributing countries in a timely manner at different stages of a United Nations peacekeeping operation, in particular when the Secretary-General has identified potential troop-contributing countries for a new or ongoing peacekeeping operation, during the implementation phase of an operation, when considering a change to, or renewal of, or completion of a peacekeeping mandate, or when a rapid deterioration in the situation on the ground threatens the safety and security of United Nations peacekeepers.*
>
> *"The Security Council will seek to ensure that all private meetings as provided for in resolution 1327 (2000) between members of the Council, the troop-contributing countries and the Secretariat are substantive, representative, meaningful and provide for a full exchange of views. The Council stresses the importance of full participation by all those involved and encourages troop-contributing countries to take the initiative to call for meaningful exchanges of information. The President of the Council will provide, where appropriate, a detailed report of consultations with the troop-contributing countries to the Council.*
>
> *"The Security Council stresses the usefulness of full and comprehensive briefings by the Secretariat at private meetings with the troop-contributing countries, including, where appropriate, military factors.*
>
> *"The Security Council encourages the Secretary-General to continue his efforts to improve coordination and cooperation on*

peacekeeping issues within the United Nations system and the Secretariat.

"The Security Council encourages the Secretary-General to raise public awareness globally of the positive contribution of peacekeeping operations and the role played by peacekeepers from various troop-contributing countries.

"The Security Council acknowledges that the Secretariat must be able to rely on sufficient human and financial resources to respond to the demands placed on it. It underlines the importance of follow-up to the report of the Panel on Peace Operations (S/2000/809) with a view to strengthening the Department of Peacekeeping Operations and other relevant departments of the Secretariat involved in peacekeeping.

"The Security Council reiterates that the problem of the commitment gap with regard to personnel and equipment for peacekeeping operations requires the assumption by all Member States of the shared responsibility to support United Nations peacekeeping.

"The Security Council acknowledges that the delay in reimbursement causes severe budgetary constraints to troop-contributing countries. It urges all Member States to pay their assessed contributions in full and on time, so that peacekeeping operations can stand on a solid financial basis.

"The Security Council decides to establish a Working Group of the Whole on United Nations peacekeeping operations. The Working Group will not replace the private meetings with the troop-contributing countries. The Working Group will address both generic peacekeeping issues relevant to the responsibilities of the Council, and technical aspects of individual peacekeeping operations, without prejudice to the competence of the Special Committee on Peacekeeping Operations. Where appropriate, the Working Group will seek the views of the troop-contributing countries, including through meetings between the Working Group and the troop contributing countries, with a view to their views being taken into account by the Council.

"As a first step, the Working Group is tasked to undertake an in-depth consideration of, inter alia, all the proposals made in the course of the Council's public meeting on 16 January 2001, including ways to improve the three-way relationship between the Council, the troop-contributing countries and the Secretariat and to report to the Council by 30 April 2001. An indicative list of all the ideas and proposals arising from the meeting on 16 January 2001 will be forwarded to the Working Group for its consideration."

Recent presidential statements that may be of relevance

Statement by the President of the Security Council of 20 February 2001 (S/PRST/2001/5)

> *"The Security Council recognizes that troop-contributing countries may be involved in peace-building activities and that, within the existing system of consultations with these countries, relevant peace-building activities should be discussed."*

F. Reports of the Security Council to the General Assembly

11. Suggested improvements to the present practice:

(a) The annual report of the Security Council to the General Assembly, submitted pursuant to Article 24 (3) of the Charter, should give a detailed and comprehensive account of the Council's work and should be made available to the General Assembly no later than 30 August;

Suggested amendments to subparagraph (a)

(1) Insert the word "factual" in place of the words "detailed and comprehensive".

(2) Insert the word "factual" between the word "comprehensive" and the word "account".

(3) Insert the word ", objective" between the word "detailed" and the words "and comprehensive".

(4) Insert the words "substantive, analytical and material" in place of the words "detailed and comprehensive".

(5) Insert the words "substantive and analytical" in place of the words "detailed and comprehensive".

(6) Insert the words "if possible" after the words "made available to the General Assembly".

(7) Insert the words "before the beginning of the general debate" in place of the words "no later than 30 August".

(b) Upon the completion of his/her Presidency, each President of the Security Council should provide a substantive and analytical assessment of the work of the Council, including, as appropriate, informal consultations of the whole, held during his/her Presidency. These assessments, prepared under the exclusive responsibility of the President following consultations with Council members, should be balanced, comprehensive and objective and distributed as official documents to all Member States immediately after their issuance by the outgoing President. They should also be appended to the annual report of the Council to the General Assembly;

Suggested amendments to subparagraph (b)

(1) In the first sentence, delete the words "including, as appropriate, informal consultations of the whole, held".

(2) Delete in the second sentence the words "balanced, comprehensive and objective and".

(3) The existing practice (set out in document S/1997/451) should be retained.

(4) Insert the following sentence immediately before the last sentence of the subparagraph: "Such assessments should include statements that the President of the Security Council makes to the press on behalf of the members of the Council."

(5) Add in the beginning of the subparagraph the words "As is the present practice".

(6) Subparagraph (b) should be revised to read:

> "As is the present practice, upon the completion of his/her Presidency each President of the Security Council should provide an assessment of the work of the Council including, as appropriate, informal consultations of the whole, held during his/her Presidency. These assessments should be prepared under the exclusive responsibility of the President following consultations with Council members, and should be distributed as official documents to Member States immediately after their issuance by the outgoing President. Such assessments should include copies of statements that the President of the Security Council makes to the press on behalf of the members of the Council as appropriate. They should also be appended to the annual report of the Council to the General Assembly".

(7) Include the following paragraph immediately after subparagraph (b):

> "The Security Council should, on the last working day of the month, include in its agenda provision for an oral assessment to be made by the President, at a public meeting, of the work accomplished during his Presidency."

(c) The annual report of the Security Council should also include information on the informal consultations of the whole.

Suggested amendments to subparagraph (c)

(1) Add the following words at the end of the sentence: "and statements that the President of the Security Council makes to the press on behalf of the members of the Council".

(2) Add the following words at the end of the sentence: "and statements that the President of the Security Council makes to the press with the prior authorization of the Security Council".

(3) Delete subparagraph (c) and the suggested amendments.

(4) Delete the suggested amendments to subparagraph (c), but retain subparagraph (c).

(5) Retain subparagraph (c) until the question of how "informal consultations" are to be handled in the entire document is resolved.

(d) The Security Council should include in its annual report information on requests received under Article 50 of the Charter and actions taken by the Council thereon;

(e) The annual report should enable Member States to assess the extent to which General Assembly and Security Council resolutions have been taken into account by the Council in its decision-making process on issues falling within the scope of the General Assembly and of the Security Council;

Suggested amendments to subparagraph (e)

(1) Replace the subparagraph with the following sentence: "The annual report should enable Member States to assess the extent to which relevant General Assembly resolutions have been taken into account by the Council in its decisions."

(2) Delete the entire subparagraph.

(f) The Security Council should, in preparing its annual report to the General Assembly, fully take into account Assembly resolution 51/193 of 17 December 1996. In particular, it should:

(i) Include, as appropriate, information on consultations of the whole undertaken prior to action or deliberation by the Council on issues within its mandate and on the process leading to such action;

(ii) Include decisions, recommendations or other substantive work of the subsidiary organs of the Council, in particular the sanctions committees, in the appendices to the annual report;

Suggested amendments to subparagraph (f)

(1) Delete the entire subparagraph.

(2) Delete subparagraph (f) (i).

(3) Insert a new subparagraph (f) (ii) *bis* to read: "Strengthen further the section in the report on the steps taken by the Council to improve its working methods".

(4) Delete in subparagraph (f) (i) the words "as appropriate".

(g) The Security Council should, when necessary, submit special reports to the General Assembly in accordance with Article 24 (3) of the Charter, for the consideration of the Assembly in accordance with Article 15 (1) of the Charter;

(h) The Security Council is invited, through an appropriate procedure or mechanism, to update the General Assembly on a regular basis on the steps it has taken or is contemplating taking with respect to improving its reporting to the Assembly.

12. Institutionalization:

Incorporate provisions to this effect into the rules of procedure of the Security Council or, as appropriate, statements by the President of the Council.

Presidential notes and statements that may be of relevance

Note by the President of the Security Council of 30 June 1993 (S/26015)

1. The President of the Security Council wishes to refer to the issue of the format of the annual report of the Security Council to the General Assembly, which the Council has to submit under Article 24 (3) of the Charter of the United Nations and to certain other matters.

2. The President of the Council wishes to state in this regard that all members of the Council have indicated their agreement with the following proposals:

1. The Security Council should take all the necessary measures to ensure the timely submission of its report to the General Assembly. For that purpose:

(a) The Security Council should retain the existing practice whereby the annual report is submitted to the General Assembly in a single volume covering the period from 16 June of one year to 15 June of the next year;

(b) The Secretariat should submit the draft report to the members of the Security Council no later than 30 September immediately following the period covered by the report, so that the report may be adopted by the Council in time for consideration by the Assembly during the main part of its regular session.

2. Presidential statements should be published, effective 1 January 1994, in an annual series using the prefix "S/PRST/__" followed by the year and the number of the statement. A new appendix should be included in the annual report of the Security Council to the General Assembly, starting with the report covering the period from 16 June 1992 to 15 June 1993, providing a chronological listing of presidential statements for the period under review and indicating the date when the statement was made or issued and the relevant agenda item or subject-matter. At the time of approval of presidential statements, the Council members should indicate the agenda item and, where none exists, an agreed formulation of the subject-matter under which the statement is being authorized. That should be reflected in the Council document circulating the presidential statement.

3. The appendices in the annual report of the Security Council listing the resolutions and presidential statements should provide cross-references to the relevant chapter, section and subsection of the report, for each resolution and presidential statement.

4. The draft annual report of the Security Council to the General Assembly should no longer be issued as a confidential document; it *should be a document with a "limited distribution" designation, as is the common practice in other bodies of the United Nations.*

5. Henceforth, the draft report should be adopted at a public meeting of the Security Council. At that meeting, the document containing the draft report should be made available to interested delegations.

6. Whenever inclusion of a reference to unpublished documentation in a draft resolution or a draft presidential statement is envisaged, the Secretariat should bring the matter to the attention of the President of the Council so that the President, in turn, could raise the matter with the members of the Council in order to determine whether or not to retain the reference in the draft text and, where the members of the Security Council decide that it is to be retained, whether that document should be published as an official document of the Security Council.

7. The provisional agenda for formal meetings of the Council should be included in the Journal provided that it has been approved in informal consultations.

8. The Group discussed various possible options to establish new ways to provide information to States that are not members of the Council. It was agreed that the Council should keep this question under due consideration so as to enhance its practice in this respect.

Note by the President of the Security Council of 12 June 1997 (S/1997/451)

3. The Security Council will take the necessary action to ensure the timely submission of its report to the General Assembly. For that purpose:

(a) The Council should retain the existing practice whereby the annual report is submitted to the General Assembly in a single volume covering the period from 16 June of one year to 15 June of the next year;

(b) The Secretariat should submit the draft report to the members of the Council no later than 30 August immediately following the period covered by the report, so that the report may be adopted by the Council in time for consideration by the General Assembly during the main part of its regular session and where possible before the beginning of the general debate of the Assembly.

4. The report of the Security Council will include the following sections:

(a) In relation to each subject dealt with by the Council:

- *(i) As background, a descriptive list of the decisions, resolutions and presidential statements of the Council for the one-year period preceding the period covered by the report;*
- *(ii) For the period covered by the report, a description in chronological order of the consideration by the Council of*

the matter in question and of actions taken by the Council on that item, including descriptions of the decisions, resolutions and presidential statements, and a list of communications received by the Council and reports of the Secretary-General;

- *(iii) Factual data, including dates of formal meetings and informal consultations at which a subject was discussed;*

(b) Information regarding the work of the subsidiary organs of the Council, including the sanctions committees;

(c) Information regarding the documentation and working methods and procedures of the Council;

(d) Matters brought to the attention of the Council but not discussed by it during the period covered;

(e) Appendices as in the present report, but also:

- *(i) The full text of all resolutions, decisions and presidential statements adopted or voted upon by the Council during the year in question;*
- *(ii) Information about meetings with troop-contributing countries.*

5. There will also be attached, as an addendum to the report, brief assessments on the work of the Security Council, which representatives who have completed their functions as President of the Security Council may wish to prepare, under their own responsibility and following consultations with members of the Council for the month during which they presided and which should not be considered as representing the views of the Council.

The following disclaimer will appear at the beginning of the addendum containing the above-mentioned assessments:

The attachment of the assessments of former Presidents on the work of the Security Council as an addendum to the report is intended to have an informative purpose and should not necessarily be considered as representing the views of the Security Council.

G. "Arria formula"

13. Suggested improvements to the present practice:

On the initiative of one of its members and in keeping with rule 39 of its provisional rules of procedure, the Security Council could resort, as appropriate, to the Arria formula to hear views and obtain or exchange information with personalities, organizations, institutions, or whomever it considers pertinent, involved in a conflict. At no time will the Security Council receive representatives of Governments of United Nations Member States under this mechanism. The level of representation of the Security Council members should be commensurate with that of those invited.

Suggested amendments:

(1) In the first sentence, delete the words "and in keeping with rule 39 of its provisional rules of procedure".

(2) In the first sentence, insert the words "members of the" before the words "Security Council".

(3) In the first sentence, insert the words "based on the agreement of its members" after the words "Security Council".

(4) In the first sentence, insert the words "in an informal way" after the words "exchange information".

(5) In the first sentence, delete the word "personalities".

(6) In the first sentence, insert the words "any persons whom" in place of the words "personalities, organizations, institutions or whomever".

(7) In the first sentence, insert the words "in accordance with Article 65 of the Charter and as provided for by the Economic and Social Council" after the words "personalities, organizations, institutions".

(8) In the first sentence, insert the words "whose contributions" before the words "it considers pertinent".

(9) At the end of the first sentence, delete the words "involved in a conflict".

(10) At the end of the first sentence, insert the words "to reach a better understanding of the situation under consideration" in place of the words "involved in a conflict".

(11) At the end of the first sentence, insert the words "because of their responsibilities or personal or institutional influence, contribute to a better understanding of the situation under consideration" in place of the words "involved in a conflict".

(12) At the end of the first sentence, insert the words "issues before the Council" in place of the words "involved in a conflict".

(13) Replace the first sentence with the following two sentences: "The Security Council should fully implement rule 39 of its provisional rules of procedure. Bearing in mind this rule, the Security Council may agree to resort, as appropriate, to the Arria formula as an informal way to hear views and obtain or exchange information with personalities,

organizations, institutions, or whomever it considers pertinent, involved in a conflict".

(16) Delete the second sentence.

(17) Delete the third sentence.

(18) Delete the entire section G.

(17) In the first sentence, the reference to rule 39 of the provisional rules of procedure should be deleted; the words "resort to" should be replaced with the word "use"; and the words "involved in a conflict" should be deleted.

(18) In the second sentence, replace the words "at no time will the Security Council" with the words "as a general rule, the Security Council will not."

14. Institutionalization:

Incorporate provisions to this effect into the rules of procedure of the Security Council or, as appropriate, statements by the President of the Council.

Identical letters dated 15 March 1999 from the Permanent Representative of Venezuela to the United Nations addressed to the Secretary-General and the President of the Security Council (S/1999/286)

The method known as the Arria Formula is associated with the name of the representative of Venezuela on the Security Council during my country's most recent term as a non-permanent member of the Council. That compels us to make the comments contained in this letter as a contribution to the discussion that is now taking place, both in the Open-ended Working Group on the Question of Equitable Representation On and Increase in the Membership of the Security Council and Other Matters Related to the Security Council, and in the Council itself.

The contemporary conflicts that constitute threats to international peace and security are increasingly displaying their non-traditional nature, as are the actors involved.

During Venezuela's presidency in 1992, the Security Council deemed it appropriate and necessary to obtain direct assessments from individuals, organizations or institutions that could, because of their responsibilities or personal or institutional influence, contribute to a better understanding of the situation under consideration.

Given the non-governmental status of such actors, or the fact that they were not even States Members of the Organization, the Council believed that such contacts should be informal and should take place outside the Council Chamber, thus respecting the rights and duties of the Member State or States involved.

It is worth recalling in this context that, while nothing prevented the Presidency of the Council or its members from establishing informal *contacts or exchanges of this nature with the parties to a conflict from the standpoint of their national interests or the interests of groups of countries (the five permanent members, the Group of Non-Aligned Countries, and so on), it was not the practice of the Council as a whole to engage in such exchanges.*

Consequently, these informal consultation exercises enabled the Council as a whole to obtain direct information and assessments concerning the dominant perceptions at a given moment on the part of those who directly or indirectly influenced the course of a conflict resolution process. In this way, the principle of collective responsibility of the Council was emphasized and the transparency of informal consultations was enhanced, as was the process of reconciling approaches among its members. Accordingly, these consultations demonstrated their usefulness without undermining the responsibility of the Council or that of the Secretary-General and his special representatives.

The Arria Formula constitutes, in our view, a treasury of Security Council procedures — the product of experience and of a pragmatic vision of its responsibilities.

This informal mechanism should be used, as it has been up to now, at the discretion of the President of the Security Council and with the authorization of its members. Nevertheless, the Arria Formula should be used in accordance with its original concept and should not be invoked in order to receive representatives of countries which are full Members of the United Nations, as that would be contrary to the principle of sovereign equality of States set out in Article 2 of the Charter of the United Nations.

I should be grateful if you would have the text of this letter circulated as a document of the General Assembly, under agenda item 59, and of the Security Council.

H. Meetings of the Security Council in accordance with Articles 35 and 99 of the Charter

15. Suggested improvements to the present practice:

Requests for meetings of the Security Council in accordance with Articles 35 and 99 of the Charter should be immediately circulated as a document of the Council, and the requested meeting should be promptly convened.

Insert a new section H bis reading:

Ad hoc missions of the Security Council

(a) The Security Council should continue to inform the general membership as soon as possible about its ad hoc missions to a crisis region as well as its terms of reference.

(b) The Security Council should also continue the practice of informing the general membership as soon as possible about the findings of such missions, for example in a written report circulated as a United Nations document.

(c) The Security Council should furthermore provide for a meeting to discuss the findings of those missions, while allowing non-members of the Council to participate in the discussions.

Suggested amendments to the above proposal

(1) In subparagraph (a), the words "as soon as possible" should be replaced with the word "immediately".

(2) In subparagraph (a), the word "crisis" is too restrictive.

(3) A new subparagraph (a) should be included to read:

"The Security Council should include troop-contributing countries that contribute formed units to a particular United Nations peacekeeping operation in Council missions to the country/countries hosting such an operation".

16. Institutionalization:

Incorporate provisions to this effect into the rules of procedure of the Security Council or, as appropriate, statements by the President of the Council.

I. Consultations pursuant to Article 50 of the Charter

17. Suggested improvements to the present practice:

(a) The Security Council should take measures providing for more effective implementation of the right contained in Article 50 of the Charter for any State, whether a Member of the United Nations or not, to consult the Council with regard to problems arising from its implementation of preventive or enforcement measures imposed by the Council. Such consultations should be held promptly upon a request submitted by the State concerned.

(b) The Security Council should promptly establish an effective mechanism to provide relief to affected States under Article 50 of the Charter which would become immediately operational upon the receipt of such request.

Suggested amendment to subparagraph (b)

Delete the entire subparagraph.

(c) The Security Council should take fully into account those sections in annex II to General Assembly resolution 51/242 of 15 September 1997, entitled "Question of sanctions imposed by the United Nations", that are relevant to the application of Article 50 of the Charter and relate to the working methods of the Security Council and the transparency of its work.

18. **Institutionalization:**

Incorporate provisions to this effect into the rules of procedure of the Security Council or, as appropriate, statements by the President of the Council.

J. Mechanism to alert non-members of the Security Council to unscheduled or weekend meetings

19. **Suggested improvements to the present practice:**

The Secretariat should continue to alert non-members of the Security Council of unscheduled emergency meetings of the Council, including information as to their subject matter and purpose, during nights, weekends and holidays (e.g., *a voice recording, a web site, an electronic* message and a facsimile transmission to all Member States).

20. **Institutionalization:**

Incorporate provisions to this effect into the rules of procedure of the Security Council or, as appropriate, statements by the President of the Council.

K. Consultations between the President of the Security Council, the President of the General Assembly and the Secretary-General

21. **Suggested improvements to the present practice:**

(a) **The President of the Security Council, the President of the General Assembly and the Secretary-General should hold regular monthly consultations, to which Members of the Bureau of the General Assembly could be invited, when the need arises. In the event of an international crisis or any other urgent development, such consultations should be held more frequently.**

(b) The President of the Security Council is requested to raise with the President of the General Assembly, during their monthly informal meetings and when deemed appropriate, the measures mentioned in section F.11(e) above. The President of the General Assembly should report to the Assembly on the steps taken by the Council in this regard.

Suggested amendment to subparagraph (b)

Delete the entire subparagraph.

(c) **The President of the Security Council should brief the Chairmen of the regional groups on the programme of work of the Council at the beginning of the month and should later continue to inform them as appropriate and as need arises.**

22. **Institutionalization:**

Incorporate provisions to this effect into the rules of procedure of the Security Council or, as appropriate, statements by the President of the Council.

L. Consultations with funds, programmes and agencies

23. Suggested improvements to the current practice:

In cases when the Security Council is involved in mandating humanitarian and operational assistance, the President of the Council should consult the principal officers of the organizations concerned.

Suggested amendments:

(1) Revise the subparagraph to read: "The conduct of operational and humanitarian activities must conform to the guiding principles of humanitarian assistance and the principles of United Nations development assistance. In cases when, as a transitory and exceptional measure, the Security Council is involved in overseeing and mandating humanitarian and operational assistance, the President of the Council should consult the principal officers of the organizations concerned before the Council acts. The decisions of the respective executive board and of the General Assembly shall be final in all aspects of such programmes".

(2) Revise the subparagraph to read: "In case when, as a measure of exception, the Security Council mandates an operation of overseeing or protecting the delivery of humanitarian assistance, the Council should conduct proper consultations with the principal officers of the United Nations agencies or funds or programmes concerned prior to the issuance of the mandate or during the renewal of this mandate."

(3) Present paragraph 23 to become paragraph 23(a). The following is to be included as a new subparagraph 23(b):

> "In order to avoid any gap between peacekeeping and peace-building, the Security Council should, where appropriate, consult, at various stages of any peacekeeping operation that includes peace-building elements and in particular when the operation is being established, with the State concerned and with relevant actors who are primarily responsible for coordinating and implementing aspects of peace-building activities, such as the General Assembly, the Economic and Social Council, the United Nations funds and programmes, the international financial institutions, regional organizations and major donor countries."

24. Institutionalization:

Incorporate provisions to this effect into the rules of procedure of the Security Council or, as appropriate, statements by the President of the Council.

M. Records and archives

25. Suggested improvements to the present practice:

(a) The Security Council should review its procedures and rules for the creation and maintenance of and access to the records and archives of its private and public meetings and consultations.

Suggested amendments to subparagraph (a)

(1) Delete the words "and consultations".

(2) Insert the words "informal consultations of the whole" in place of the word "consultations".

(3) Insert the words "of the whole" at the end of the sentence.

(b) Procedures for promptly fulfilling requests for these records and archives by the accredited representatives of any member of the Security Council should be established.

Suggested amendments to subparagraph (b)

(1) Insert the word "considering" in place of the word "fulfilling".

(2) Insert the words "access to" before the words "these records".

(3) Insert the word "non-members" in place of the words "any member".

(4) Insert the words "United Nations" in place of the words "Security Council".

(5) Insert a new subparagraph (b) *bis* to read: "Members of the Security Council shall at all times have the right to consult the records of the private meetings of the Council".

(c) In its annual report to the General Assembly, the Security Council should certify that the maintenance of its records and archives meet the established international standards for the management of records and archives.

26. Institutionalization:

Incorporate provisions to this effect into the rules of procedure of the Security Council or, as appropriate, statements by the President of the Council.

III. Subsidiary organs of the Security Council

A. Sanctions committees

27. Suggested improvements to the present practice:

(a) Summary records of the meetings of the sanctions committees, which do not compromise the confidentiality of the work of the committees, should be made available promptly to non-members of the Security Council;

(b) The sanctions committees should ensure that the administrative procedure of processing applications for exemptions from sanctions regimes is as efficient as possible in order to avoid delays in clearing applications and thus to minimize unintended adverse side effects of sanctions;

(c) The countries specially affected by sanctions regimes, including target countries, should be given reasonable access to sanctions committees to explain their situations directly related to the implementation of sanctions.

Suggested amendments to subparagraph (c)

(1) Delete the word "reasonable".

(2) Insert the word "better" in place of the word "reasonable".

(3) Revise the subparagraph to read: "The target or affected countries, as well as concerned organizations, should be better able to exercise the right of explaining or presenting their points of view to the sanctions committees."

(4) In suggested amendment (3) above, delete the word "better".

(5) The access to "sanctions committees" of countries affected by "sanctions regimes" should be maximized.

(d) The Security Council should take fully into account those sections in annex II to General Assembly resolution 51/242 of 15 September 1997, entitled "Questions of sanctions imposed by the United Nations", that are relevant to the procedures and working methods of the sanctions committees;

(e) The agenda of the meetings of the sanctions committees should be announced in the *Journal of the United Nations* in the same way as the agenda of the Security Council;

(f) Chairmen of sanctions committees should, as appropriate, after each meeting continue to give substantive and detailed briefings on their proceedings to non-members of the Council and, as appropriate, distribute documents which were considered in the course of such meetings. Such briefings should continue to be announced in the *Journal of the United Nations*.

(g) Public information on the work of the sanctions committees should be made available on the Internet and through other means of communication.

28. Institutionalization:

Incorporate provisions to this effect into the rules of procedure of the Security Council or, as appropriate, statements by the President of the Council.

Presidential statements that may be of relevance

Note by the President of the Security Council of 29 March 1995 (S/1995/234)

1. ... the President of the Security Council wishes to state that all members of the Security Council have indicated their agreement with the following proposals:

The following improvements should be introduced to make the procedures of the Sanctions Committees more transparent:

- *The practice of issuing press releases after meetings of the Committee should be increased;*

- *The Status of Communications lists under the "No Objection" procedure prepared by the Secretariat should be made available to any delegation which wishes to have a copy;*
- *A list of all other decisions by each active Committee should be prepared by the Secretariat, on a regular basis, and be made available to any delegation which requests it;*
- *The annual report of the Security Council to the General Assembly should contain, in the Introduction, more information about each Committee than it does at present;*
- *An annual report to the Security Council should be prepared by each Committee, providing a concise indication of each Committee's activities;*
- *An effort should be made to expedite the preparation of the summary records of each Committee.*

For the implementation of these measures, the existing procedures of the Committees should be respected.

Meetings of the Sanctions Committees should remain closed, as they are now, and the summary records of those meetings should continue to be distributed according to the existing pattern.

Note by the President of the Security Council of 31 May 1995 (S/1995/438)

1. ... The President of the Security Council wishes to state that all members of the Security Council have indicated their agreement with the following proposal:

> *The practice of hearing comments by States and organizations concerned during closed meetings of the Sanctions Committees on issues arising from implementation of sanctions regimes imposed by the Security Council should be continued while respecting the existing procedures followed by such Committees.*

Note by the President of the Security Council of 24 January 1996 (S/1996/54)

1. Further to the note by the President of the Security Council dated 31 May 1995 (S/1995/438) concerning the Council's documentation and other procedural questions, the President of the Security Council wishes to state that all members of the Security Council have indicated their agreement with the following proposals:

The following improvements should be introduced to make the procedures of the Sanctions Committees more transparent:

The Chairman of each Committee should give an oral briefing to interested Members of the United Nations after each meeting, in the same way as the President of the Security Council now gives oral briefings following informal consultations of Council members;

The Chairman of each Committee should be asked to bring to the attention of its members and of the Members of the United Nations the improvements in procedures of the Committees which were agreed to by *the members of the Council on 29 March and 31 May 1995 (see S/1995/234 and S/1995/438).*

Note by the President of the Security Council: work of the sanctions committees: 29 January 1999 (S/1999/92)

1. The sanctions committees should establish appropriate arrangements and channels of communication with organs, organizations and bodies of the United Nations system, as well as other intergovernmental and regional organizations, neighbouring countries and other countries and parties concerned, in order to improve the monitoring of the implementation of sanctions regimes and the assessment of their humanitarian consequences on the population of the target State and their economic consequences on neighbouring and other States.

8. The practice of hearing technical presentations of information by organizations assisting in the enforcement of Security Council sanctions during closed meetings of the sanctions committees should be continued. The target or affected countries, as well as concerned organizations, should be better able to exercise the right of explaining or presenting their points of view to the sanctions committees, while taking fully into consideration current committee practices. The presentations should be expert and comprehensive.

13. In discharging their mandates, the sanctions committees should as much as possible seek to utilize the expertise and practical assistance of Member States, United Nations agencies, regional organizations and all humanitarian and other relevant organizations.

Note by the President of the Security Council of 17 April 2000 (S/2000/319)

1. The members of the Security Council recall the note by the President of 29 January 1999 (S/1999/92) which contained a number of practical proposals to improve the work of the sanctions committee in accordance with the resolutions concerned.

2. The members of the Security Council note the work of the General Assembly and also note that there exists considerable recent scholarship on the subject of United Nations sanctions that merits consideration by the members of the Council. In particular, they note recent efforts by Canada, Germany, Switzerland, the United Kingdom of Great Britain and Northern Ireland and others to sponsor specific reports and studies on aspects of United Nations sanctions.

3. Taking account of the note by the President of 29 January 1999 and other relevant proposals and recommendations, including those referred to in paragraph 2 above, the members of the Security Council have decided to establish on a temporary basis an informal working group of the Council to develop general recommendations on how to improve the effectiveness of United Nations sanctions. The working group should benefit from all available sanctions expertise, including by being briefed, on a case-by-case basis, by appropriate experts. The working group should report its findings to the Council by 30 November 2000.

4. The informal working group should examine, inter alia, the following issues in all aspects with a view to improving the effectiveness of sanctions:

- *a. working methods of sanctions committees and inter-committee coordination;*
- *b. capacity of the United Nations Secretariat;*
- *c. coordination within the United Nations system and cooperation with regional and other international organizations;*
- *d. design of sanctions resolutions including the conditions for the maintaining/lifting of sanctions;*
- *e. pre- and post-assessment reports and the ongoing evaluation of sanctions regimes;*
- *f. monitoring and enforcement of sanctions;*
- *g. unintended impacts of sanctions;*
- *h. humanitarian exemptions;*
- *i. targeted sanctions;*
- *j. assisting member States in implementing sanctions;*
- *k. implementation of the recommendations of the above-mentioned note by the President.*

B. Other subsidiary organs

29. Suggested improvements to the present practice:

(a) Meetings of subsidiary organs of the Council established pursuant to Article 29 of the Charter should be more transparent and their proceedings, when appropriate, open to non-members of the Council. Such meetings should be announced in the *Journal of the United Nations*, and information about the proceedings, in particular those regarding decisions and recommendations, should be made available to non-members.

Suggested amendments to subparagraph (a)

(1) Delete the word "more" in the first sentence.

(2) In the first sentence, insert the words "and working groups of the Security Council" after the words "the Charter".

(3) Delete the entire subparagraph.

(4) In the first sentence, insert the word "other" after the words "Meetings of".

(5) Move subparagraph (a) to the very beginning of Chapter III.

(6) In the first sentence, in place of the words "subsidiary organs" insert the words "working groups".

(b) Chairmen of other subsidiary organs of the Security Council should, as appropriate after each meeting, give substantive and detailed briefings on their proceedings to non-members of the Council and, as appropriate, distribute documents which were considered in the course of such meetings. Such briefings should be announced in the *Journal of the United Nations*.

Suggested amendment to subparagraph (b)

In the first line, delete the word "other".

Note: The question of a reference to Security Council working groups in this subparagraph may require further consideration.

30. **Institutionalization:**

Incorporate provisions to this effect into the rules of procedure of the Security Council or, as appropriate, statements by the President of the Council.

IV. Relationship between the Security Council and other principal organs of the United Nations

A. International Court of Justice

31. **Suggested improvements to the present practice:**

In accordance with relevant provisions of the Charter, the Security Council should consider requesting more often the International Court of Justice to give an advisory opinion on any legal question.*

Suggested amendments

(1) Insert the words "request more often" in place of the words "consider requesting more often".

(2) Insert the words "request as appropriate" in place of the words "consider requesting more often".

(3) The words "on any legal question" should be replaced with the words "on any legal question relevant to the maintenance of international peace and security".

(4) Delete paragraph 31.

32. **Institutionalization:**

Incorporate provisions to this effect into the rules of procedure of the Security Council or, as appropriate, statements by the President of the Council.

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* See A/51/47, annex V, "Negotiating paper submitted by the Movement of Non-Aligned Countries", for an earlier formulation.

B. Economic and Social Council

33. Suggested improvements to the present practice:

In accordance with Article 65 of the Charter, the Security Council should consider requesting the Economic and Social Council to furnish it with information on matters relevant to the work of the Security Council.

34. Institutionalization:

Incorporate provisions to this effect into the rules of procedure of the Security Council or, as appropriate, statements by the President of the Council.

V. Relationship between the Security Council and regional arrangements and agencies

35. Suggested improvements to the present practice:

(a) Efforts to enhance regional capacities should not relieve the Security Council of its obligations under the Charter of the United Nations, which confers on it the primary responsibility for the maintenance of international peace and security;

Suggested amendments to subparagraph (a)

(1) Insert the words "peacekeeping capacities of regional arrangements or agencies" in place of "regional capacities".

(2) Delete the entire subparagraph.

(b) In its relations with regional arrangements and agencies, the Security Council should take fully into account the relevant provisions of General Assembly resolution 49/57 of 9 December 1994 and annex I to General Assembly *resolution* 51/242 of 15 *September* 1997, *entitled* "Coordination", bearing in mind the primary responsibility of the Security Council for the maintenance of international peace and security;

(c) Regional arrangements and agencies should be consulted on matters affecting the maintenance of international peace and security in accordance with Chapter VIII of the Charter and the relevant mandates of regional arrangements and agencies concerned.

Suggested amendments to subparagraph (c)

(1) Insert the words "Close consultation should be maintained between the Security Council and regional arrangements and agencies" in place of the words "Regional arrangements and agencies should be consulted".

(2) Insert the words "Consultation should be strengthened between the Security Council and regional arrangements and agencies" in place of the words "Regional arrangements and agencies should be consulted".

(3) Revise the subparagraph to read: "The Security Council, in accordance with the provisions of Chapter VIII of the Charter, should enhance its cooperation and consultations on matters affecting the maintenance of

international peace and security, with the relevant regional arrangements and agencies."

(4) Delete the entire subparagraph.

Suggested amendments to subparagraphs (a)-(c)

(1) Delete the entire section V.

(2) Retain subparagraphs (a) and (c) if section V is to be retained.

36. Institutionalization:

Incorporate provisions to this effect into the rules of procedure of the Security Council or, as appropriate, statements by the President of the Council.

Presidential notes and statements that may be of relevance

Note by the President of the Security Council of 28 May 1993 (S/25859)

"The Security Council reaffirms the importance it attaches to the role of regional arrangements and organizations and to coordination between their efforts and those of the United Nations in the maintenance of international peace and security. The Council welcomes the readiness of Member States, acting nationally or through regional organizations or arrangements, to cooperate with the United Nations and other Member States by providing their particular resources and capabilities for peace-keeping purposes. The Security Council, acting within the framework of Chapter VIII of the Charter of the United Nations, calls upon regional organizations and arrangements to consider ways and means of enhancing their contributions to the maintenance of peace and security. For its part the Security Council expresses its readiness to support and facilitate, taking into account specific circumstances, peace-keeping efforts undertaken in the framework of regional organizations and arrangements in accordance with Chapter VIII of the Charter. The Security Council looks forward to the report of the Secretary-General on cooperation between the United Nations and regional organizations."

General Assembly resolutions that may be of relevance

49/57. Declaration on the Enhancement of Cooperation between the United Nations and Regional Arrangements or Agencies in the Maintenance of International Peace and Security of 9 December 1994

The General Assembly,

1. Approves the Declaration on the Enhancement of Cooperation between the United Nations and Regional Arrangements or Agencies in the Maintenance of International Peace and Security, the text of which is annexed to the present resolution;

ANNEX

Declaration on the Enhancement of Cooperation between the United Nations and Regional Arrangements or Agencies in the Maintenance of International Peace and Security

The General Assembly,

Recalling the provisions of the Charter of the United Nations concerning the role of regional arrangements or agencies in the maintenance of international peace and security, in particular the provisions of Chapter VIII of the Charter,

Recalling also that resort to regional arrangements or agencies is among the means referred to in Chapter VI of the Charter for the peaceful settlement of disputes,

Recognizing that regional arrangements or agencies can play an important role in preventive diplomacy and in enhancing regional and international cooperation,

Recognizing also the importance of the role of regional arrangements or agencies in dealing with such matters relating to the maintenance of international peace and security as are appropriate for regional action, provided that such arrangements or agencies and their activities are consistent with the purposes and principles of the United Nations,

Taking into account the experience gained and the favourable results achieved by regional arrangements or agencies in the peaceful settlement of disputes in different parts of the world,

Bearing in mind the variety of mandates, scope and composition of regional arrangements or agencies,

Considering that action at the regional level can contribute to the maintenance of international peace and security,

Emphasizing that respect for the principles of sovereignty, territorial integrity and political independence of States and non-intervention in matters which are essentially within the domestic jurisdiction of any State is crucial to any common endeavour to promote international peace and security,

Emphasizing also that peace-keeping activities undertaken by regional arrangements or agencies should be conducted with the consent of the State in the territory of which such activities are carried out,

Stressing the primary responsibility of the Security Council, under Article 24 of the Charter, for the maintenance of international peace and security,

Emphasizing further that the efforts made by regional arrangements or agencies, in their respective fields of competence, in cooperation with the United Nations can usefully complement the work of the Organization in the maintenance of international peace and security, Stressing the need to enhance cooperation between the United Nations and regional arrangements or agencies in the maintenance of international peace and security,

Considering that such enhanced cooperation between the United Nations and regional arrangements or agencies would promote collective security in accordance with the Charter,

Solemnly declares that:

1. In accordance with the provisions of the Charter of the United Nations concerning the role of regional arrangements or agencies in the maintenance of international peace and security, in particular Chapter VIII of the Charter:

(a) The Members of the United Nations entering into such arrangements or constituting such agencies shall make every effort to achieve pacific settlement of local disputes through such regional arrangements or by such regional agencies before referring them to the Security Council;

(b) The Security Council shall encourage the development of pacific settlement of local disputes through such regional arrangements or by such regional agencies either on the initiative of the States concerned or by reference from the Council;

(c) The above provisions in no way impair the application of Articles 34 and 35 of the Charter;

(d) The Security Council shall, where appropriate, utilize such regional arrangements or agencies for enforcement action under its authority, but no enforcement action shall be taken under regional arrangements or by regional agencies without the authorization of the Council;

(e) The Security Council shall at all times be kept fully informed of activities undertaken or in contemplation under regional arrangements or by regional agencies for the maintenance of international peace and security;

2. Regional arrangements or agencies can, in their fields of competence and in accordance with the Charter, make important contributions to the maintenance of international peace and security, including, where appropriate, through the peaceful settlement of disputes, preventive diplomacy, peacemaking, peace-keeping and post-conflict peace-building;

3. Cooperation between regional arrangements or agencies and the United Nations, in the maintenance of international peace and security, may take various forms, including, inter alia:

(a) Exchange of information and the holding of consultations at all levels;

(b) Participation as appropriate in the work of the United Nations organs, in accordance with the applicable rules of procedure and practices;

(c) Making available personnel, material and other assistance, where appropriate.

4. Cooperation between regional arrangements or agencies and the United Nations should be in accordance with their respective mandates, scope and composition and should take place in forms that are suited to each specific situation, in accordance with the Charter;

5. Regional efforts undertaken by regional arrangements or agencies in the area of the maintenance of international peace and security, within their respective fields of competence and in accordance with the purposes and principles of the Charter, should be encouraged and, where appropriate, supported by the Security Council;

6. States participating in regional arrangements or agencies are encouraged to consider the possibility of increasing efforts at the regional level for the maintenance of international peace and security in accordance with the Charter;

7. States participating in regional arrangements or agencies are encouraged to promote confidence-building at the regional level for the maintenance of international peace and security;

8. States participating in regional arrangements or agencies are encouraged to consider the possibility of using or, where appropriate, establishing or improving at the regional level procedures and mechanisms for the early detection, the prevention and the peaceful settlement of disputes, in close coordination with the preventive efforts of the United Nations;

9. Regional arrangements or agencies are encouraged to consider, as appropriate, in their fields of competence, ways and means for promoting closer cooperation and coordination with the United Nations with the aim of contributing to the fulfilment of the purposes and principles of the Charter, including in the fields of preventive diplomacy, peacemaking and post-conflict peace-building, and where appropriate, peace-keeping;

10. Regional arrangements or agencies are encouraged to consider, in their fields of competence, the possibility of establishing and training groups of military and civilian observers, fact-finding missions and contingents of peace-keeping forces, for use as appropriate, in coordination with the United Nations and, when necessary, under the authority or with the authorization of the Security Council, in accordance with the Charter;

11. The Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations, 2/ the Manila Declaration on the Peaceful Settlement of International Disputes, 3/ the Declaration on the Enhancement of the Effectiveness of the Principle of Refraining from the Threat or Use of Force in International Relations, 4/ the Declaration on the Prevention and Removal of Disputes and Situations Which May Threaten International Peace and Security and on the Role of the United

Nations in this Field 5/ and the Declaration on Fact-finding by the United Nations in the Field of the Maintenance of International Peace and Security 6/ are hereby reaffirmed together with their provisions concerning the activities of regional arrangements or agencies in the maintenance of international peace and security;

12. Nothing in the present Declaration is to be construed as prejudicing in any manner the provisions of the Charter.

VI. Rules of procedure and institutionalization of the measures taken by the Security Council to enhance its working methods and transparency

37. Suggested improvements to the present practice:

The Security Council should finalize its provisional rules of procedure. Towards this end, the following steps should be taken by the Council:

(i) The arrangements regarding various measures that the Council has already adopted to enhance its methods and transparency, as well as the new measures discussed above, should be institutionalized as proposed by this Working Group in sections II-V of the present report;

(ii) After institutionalization of the measures described in subparagraph (i) above, there should be an overall review of the provisional rules of procedure, after which the word "provisional" should be deleted.

Suggested amendment to paragraph 37

Paragraph 37 should not be included.

Annex XVIII

Letter dated 18 June 2001 from the Deputy Permanent Representative of Pakistan to the United Nations addressed to the Bureau of the Working Group, containing a proposal by Pakistan*

The United Nations was created on the basis of sovereign equality of States. However, in the aftermath of the Second World War, certain countries managed to acquire an exalted status on the Security Council with permanent membership and veto power. Any reform process must be aimed at removing the existing imbalance and inequality in the membership of the Security Council.

However, given the present realities, this may not be practical. In order, therefore, to make the Security Council more participatory, representative, equitable and effective, the expansion should take place only in the non-permanent category.

A decision on the increase in the non-permanent category must be taken through general agreement among the membership of the United Nations. The non-permanent category should be enlarged to accommodate new members on the basis of geographical distribution to be elected by the General Assembly for a fixed term. While there may be different proposals on the number of new elected members, one suggestion could be to enlarge the Security Council corresponding to the size of the Economic and Social Council to ensure the widest possible representation of Member States.

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* Previously issued as document A/AC.247/2001/CRP.6.

Annex XIX

Letter dated 19 July 2001 from the Permanent Mission of Egypt to the United Nations, on behalf of the Working Group of the Movement of Non-Aligned Countries, addressed to the Bureau of the Working Group, containing a statement delivered at the second session of the Working Group, on 16 March 2001*

The Movement of Non-Aligned Countries has established a well-known position concerning different issues of Security Council reform, hence we are not merely repeating that position. Rather, we deem it necessary to state clearly our assessment of the progress achieved thus far. While limiting our comments to the scope of the agenda of the group this week, we would like to emphasize the following:

1. It is highly regrettable that little progress has been achieved with regard to Security Council reform despite the continuous efforts of the vast majority of Member States.

2. It is an indisputable fact that such lack of progress was caused by the absence of political will of a small number of Member States that never came up with any constructive proposals to help the process move forward. Indeed, it is that lack of political will that should be blamed not the working methods of the Open-ended Working Group, which fall in line with the usual working methods of all working groups of the General Assembly.

3. There is a general agreement on the need for a coherent and coordinated approach to render the Security Council efficient and capable of addressing universal challenges. Such an agreement cannot be held hostage to the narrow interests of a handful of members ignoring the common interests of the general membership.

4. As for the substance of the issue, the Movement of Non-Aligned Countries underlines the interlinkage between clusters I and II. Both reform and expansion of the Security Council should be considered as integral parts of a comprehensive package.

5. While addressing decision-making in the Security Council, the Movement was not far from reality. While setting elimination of the veto as its ultimate goal in this regard, the Movement views, as an interim measure, a gradual approach by starting with the curtailment of the veto.

6. There is a lot that can be said concerning measures of curtailment. Some of these measures were introduced by the Working Group of the Movement of Non-Aligned Countries and were contained in document A/AC.247/1996/CRP.9. What needs to be stressed at this juncture is that such curtailment measures should be discussed, agreed to, then institutionalized and should not, by any means, be left to self-restraint or self-imposed moratoria. On the contrary, we believe that the commitment to institutionalize those measures should be an element of a package agreement on the reform of the Security Council.

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* Previously issued as document A/AC.247/2001/CRP.7.

7. While the Movement of Non-Aligned Countries believes that the veto is an important component of the reform process, we further believe that reforming the veto is not the only effort needed.

8. In this regard, other issues need to be addressed effectively, such as the need for a transparent and more responsible, democratic and representative Security Council. In this regard it is regrettable to notice that closed meetings of the Council remain the common practice, when they should, and were meant to be, the rare exception.

9. Article 24 of the Charter calls upon the Security Council to act in accordance with the purposes and principles of the United Nations. Underlining this stipulation, the Movement of Non-Aligned Countries regrets that adherence to the spirit of that article remains questionable.

10. Responding to the different views expressed this week, and to the Bureau's request for concrete proposals regarding suggestions contained in document A/AC.247/2001/CRP.2, the Movement of Non-Aligned Countries proposes the deletion of all references to suggestions intended to leave the veto in its present form. We believe that those suggestions cannot be of any use to the reform process.

Annex XX

Note by the Secretariat dated 12 July 2001 concerning record-keeping practices in the Security Council secretariat*

1. Concerning record-keeping practices in the Security Council secretariat, a clear distinction should be made between formal meetings of the Council and the informal consultations of the whole of the Council.

2. In terms of the formal meetings of the Council, the provisional rules of procedure provide for public and private meetings. In accordance with rule 48 (as contained in chap. IX, entitled "Publicity of meetings, records"), the Security Council, unless it decides otherwise, "shall meet in public". In pursuance of rule 49, the verbatim record of each meeting of the Security Council, subject to the provisions of rule 51, "shall be made available to the representatives on the Security Council and to the representatives of any other States which have participated in the meeting not later than 10 a.m. of the first working day following the meeting". In accordance with rule 50, the representatives of the States which have participated in the meeting "shall, within two working days after the time indicated in rule 49, inform the Secretary-General of any corrections they wish to have made in the verbatim record".

3. In pursuance of rule 51, the Security Council "may decide that for a private meeting the record shall be made in a single copy alone. This record shall be kept by the Secretary-General. The representatives of the States which have participated in the meeting shall, within a period of ten days, inform the Secretary-General of any corrections they wish to have made in this record." In accordance with rule 55, the Security Council shall issue a communiqué through the Secretary-General, at the close of each private meeting. Pursuant to rule 56, the "representatives of the Members of the United Nations which have taken part in a private meeting shall at all times have the right to consult the record of that meeting in the office of the Secretary-General. The Security Council may at any time grant access to this record to authorized representatives of other Members of the United Nations."

4. With regard to the informal consultations of the whole of the Council, the provisional rules of procedure do not contain any provision regarding such consultations. These informal gatherings of Security Council members began in the 1970s, initially on an infrequent basis, but their number increased dramatically in the early 1990s.

5. Unlike the public or private meetings of the Security Council, there are no official records of the informal consultations of the whole. Since the Secretary-General is not in a position to be physically present at all the informal consultations, the Secretariat prepares internal notes for him that briefly summarize the discussions. These internal notes are not summary records in any way. Nor are they authoritative. They are intended for the exclusive use of the Office of the Secretary-General.

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* Previously issued as document A/AC.247/2001/CRP.8.

Annex XXI

Statement containing a proposal, submitted to the Bureau of the Working Group on 20 July 2001 by the Permanent Mission of Grenada to the United Nations*

The success of the question and answer session that we had on 17 July 2001 with Mr. Joseph Stephanides, Director of the Security Council Affairs Division of the Department of Political Affairs, reflects the skill with which you chaired the meeting and the leeway that you gave us in our queries. The delegation of Grenada warmly thanks you for making the briefing possible.

Of the critical issues that emerged in the interchange with Mr. Stephanides, one concerned the problem of ensuring the preservation of what he called the "internal notes" taken by members of his staff during the Security Council's informal consultations of the whole as well as the meetings of its subsidiary organs and working groups. These notes are then prepared and reported to the Secretary-General. Their value for, inter alia, future historical and legal research and analysis is potentially very high.

From Mr. Stephanides' responses to several of my questions, it is clear that there has been little, if any, interaction with the Archives and Records Management Section of the United Nations Secretariat, which is responsible for ensuring the preservation of records having administrative, financial, legal or historical value. According to United Nations regulations, documents created by a member of the Secretariat in pursuing his or her official duties are the property of the United Nations and subject to its records management rules. The Archives and Records Management Section, however, does not supervise the management of records while they are in the possession of the many offices that comprise the Secretariat. Eventually, when records are no longer needed for the work of a particular office, they are to be turned over to the Archives and Records Management Section for storage and for archiving later. With space at a premium in the offices of the Secretariat or when offices are moved — as will happen in the near future when the Secretariat Building is renovated — records have been discarded, despite United Nations regulations. Given the potential value of the notes for helping to create and preserve the institutional memory of the Security Council as well as the General Assembly and other organs and bodies of the United Nations, our Working Group should act accordingly.

My delegation proposes the following recommendation to the General Assembly:

> "The General Assembly, recognizing the potential historical value of the notes taken for the Secretary-General by staff members of the Secretariat during the Security Council's informal consultations of the whole and meetings of its subsidiary organs and working groups, and wishing to ensure the preservation of these notes, according to the international standards and practices for records and archives management,
>
> "Decides to request the Secretary-General, in consultation with, among others, members of the Security Council, representatives of the Security

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* Previously issued as document A/AC.247/2001/CRP.9.

Council Affairs Division of the Department of Political Affairs, the Archives and Records Management Section of the Office of Central Support Services, and the Office of Legal Affairs to review and to report, before the end of 2001, on the procedures and methods used to preserve these notes, the conditions under which they are stored, and the regulations governing present and future access to them by representatives of the members of the Security Council as well as non-members, the staff of the Secretariat, and researchers, whether or not associated with the United Nations."